

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE.

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together the nation's police chiefs, its criminal justice scholars, and its top law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation

December 1989



## The Drug War

# Victory will come slowly; Fight must be on all fronts



James Q. Wilson

*JAMES Q. WILSON, Police Foundation chairman of the board, is Collins Professor of Management at UCLA and former Henry Lee Shattuck Professor of Government at Harvard University. One of the nation's foremost experts on criminal justice, Wilson kicked off the Police Foundation's 1989 conference on "Drugs and Violence: Police Departments Under Siege—A Search for Solutions." The following is an edited version of his presentation.*

I was supposed to address the history of drug law enforcement, but that is a bit misleading. I plan, instead, to address my own personal history as a policy advisor to the federal government in the field of drug law enforcement. I have made no arrests, secured no convictions, imposed no sentences. I am a professor. I cannot do it,

therefore I talk about it. It is a striking feature of American politics that when a problem comes to the President's attention, they summon to the White House advisors who are experts in talking about the problem, and I am one of the principal talkers. My experience goes back to President Lyndon Johnson's Commission on Law Enforcement and Administration of Justice. I served on its Scientific Advisory Committee. Then I was chairman of President Johnson's White House Task Force on Crime. In the Nixon Administration, I was chairman of the National Advisory Council on Drug Abuse Prevention. And in the Reagan Administration, I was a member of the Attorney General's Task Force on Violent Crime.

Reflecting on that experience, I

realize that this issue of drugs and violence has been with us from the beginning. I am not sure that in 25 years I have learned something I could tell you that would help to make your job easier, but I do believe I have learned at least three things, which might make your frustrations less acute. I have learned that there are three dangerous lures, three intellectual or policy mistakes, that are all too easy to make. As I listen to the debate about Dr. William Bennett's current national drug control policy, I am beginning to hear echoes of each of those early errors.

The first lure is that of easy, politically popular solutions to the drug problem. In the Nixon Administration, the way to deal with the heroin problem was thought to be to eliminate the production of opium in Turkey and the heroin-processing laboratories in Marseilles, France. Both of those goals were achieved. Turkey is no longer a significant source of opium poppies and France is no longer a significant source of heroin-manufacturing labs. The results were dramatic—and brief. For a short time the street price of heroin in New York City rose, but it went back down again as new brown heroin began to come in from Mexico, followed by new white heroin from southeast Asia.

Crop eradication programs—programs designed to cut off the flow of drugs at the source—are very appealing to the American people. Crop eradication does not require that Americans be arrested; it does not

require that they see their own liberties curtailed; and it gives vent to the popular feeling that foreigners are doing bad things to us. But the error in that way of thinking is that every time you eliminate an overseas source of supply, a new source of supply will crop up. If we eliminate the cocoa plantations in Peru, they probably will be relocated in Brazil. And if we eliminate them in Brazil, they will be planted in Paraguay.

**N**ot only are there alternative sources for drugs, there are alternative routes into this country. We should not underestimate for a moment the magnificent efforts of the Coast Guard, Border Patrol, Immigration Service, Customs Service, and Drug Enforcement Administration in attempting to restrict the flow of drugs into this country. This is a worthwhile objective, and it must be pursued. But these institutions would be the first to admit that it is not possible to seal ourselves off from the rest of the world with respect to drugs. It cannot be done.

**M**oreover, even if alternative sources and alternative smuggling routes did not exist, new markets would still emerge. It is only the imagination of basement chemists that limits our ability to design new and perhaps ever more dangerous drugs to supply the demand on American streets. We must therefore avoid the first mistake of believing that there is an easy, politically popular, overseas solution to this problem.

**T**he second lure we must avoid is the lure of easy money. We have heard a great deal of talk on Capitol Hill about the inadequate level of funding associated with President Bush's drug plan. We've heard this argument before—that the federal government must pay the bill for state and local law enforcement to control drug traffic and use. Nonetheless, we can be assured that the federal government

will not pay the bill, and there are two reasons why this is so.

**F**irst of all, there is no political will in Washington, on either side of the aisle, Democratic or Republican, to raise the sums of money required for us to make a vast infusion of federal dollars into our cities. If the federal government were to triple or quadruple its projected spending on state and local drug enforcement, it still would represent only a fraction of state and local law enforcement budgets.

**B**ut the second reason is perhaps more important. Even if the political will could be mustered, we must be mindful of the fact that the United States House of Representatives contains 435 members and the Senate 100. These numbers signify some hard political realities. If the money for drug law enforcement is most urgently needed in New Orleans, Philadelphia, Los Angeles, New York, Boston, or Chicago, that money will get there provided a proportional amount of money also goes to Bangor, Maine, and Peoria, Illinois, and indeed every city of any consequence in every one of the 435 congressional districts. The federal government has a marvelous tool—the income tax—with which to raise money; but it has a very clumsy tool—the Congress of the United States—with which to distribute it. Targeting money to where it is needed most is a very difficult task.

**T**he third lure is the lure of utopian solutions. Those enthralled by that lure contend that if we can find and eliminate the root causes of drug abuse, we will not have to invest so heavily in law enforcement and place at risk our cherished liberties. There are, no doubt, root causes of drug abuse and drug dependency. The problem is we don't know what they are and we don't know how to eliminate them. We can notice that

those persons who suffer from drug abuse and drug dependency in many cases come disproportionately from one element of society. But we have to admit that drug abuse and drug dependency have, in fact, permeated every element of society. And if the problem seems especially acute in south-central Los Angeles, or in the south Bronx, or in the Roxbury section of Boston, it can now be found to some degree in virtually every corner of this country.

**S**cientists have been looking for indicators that reliably predict what sort of person will become, under certain circumstances, most dependent on drugs. So far they have not found those reliable predictors. But suppose we find them. Almost surely those reliable predictors will turn out to have something to do with human personality and the lifetime processes that form the human personality. Those lifetime processes perhaps can be altered, but it takes a lifetime to do it. Are we willing to write off this generation, and probably the next, and indeed the next after that, while we look for those reliable predictors and those efficacious attacks on root causes?

**W**hat, then, are the answers for today? As I read the Administration's National Drug Control Strategy, I find it to contain among the most sensible, the most thoughtful and constructive proposals that have been made by the federal government in dealing with this problem. And nowhere in those proposals do I find any indication that there are simple, quick, easy, or politically popular solutions to the drug problem. And that tone I wish very much to applaud. I do, however, wish to emphasize two approaches.

**T**he first is that we must reduce the demand for drugs. As long as there are Americans willing to consume drugs and pay premium black market



Conference participants: Chief Ray Johnson, Inglewood, CA (left); and Chief Lawrence Binkley, Long Beach, CA.

prices for them, foreign nations will produce drugs, smugglers will bring them in, and clever chemists who have dropped out of the Ph.D. program at M.I.T. or Berkeley will produce them in their backyards or on their farms.

The question is, of course, how do we reduce the demand for drugs? The first point to make is that reducing the demand for drugs is not synonymous with providing more treatment for drug addicts. I support the concept of treatment on demand. We should give any drug dependent person an opportunity to participate in a drug treatment program.

While this sounds simple and humane, it is not the easy solution we would like to think. First of all, lots of people do not want to be treated for drug abuse. Crack, I am told, is an extraordinarily enjoyable experience. Unlike heroin, which makes you impotent, drowsy, and oblivious, crack makes you feel like Superman or Superwoman, and intensifies, gloriously, every enjoyable experience.

Under these circumstances, it is foolish to assume that we know what

the real demand for treatment is, or that if we supply enough treatment slots, those slots will be immediately filled by people eager for treatment. There are people seeking treatment who cannot get it; make no mistake about it. And those people should be served. But if all of them were served, there would still be hundreds of thousands of persons not seeking treatment at all.

A fifteen-year-old crack addict who bears a child with fetal drug syndrome because of the mother's addiction—and who continues to use drugs, is not a person unaware of the dangers of drug abuse. She sees them every day. She lives in miserable conditions. She prostitutes herself. She has a sick, deformed baby. How much more information can we possibly give her? And yet in many cases that woman either does not seek treatment, or if treatment is sought and is provided, soon drops out of the program.

The second difficulty with the concept of treatment on demand is that we don't know, with respect to crack, what kind of treatment works. After a lot of experimentation in the

late 60's and early 70's, we learned much about heroin addiction. We learned that some people could benefit from enrolling in therapeutic communities. Others could only be stabilized if they used methadone to block the withdrawal pains associated with heroin, and then were given counseling. By these means, we reached a lot of people.

But we have no such technologies now for dealing with crack. We do not have anything like methadone. And we are not yet certain under what circumstances therapeutic communities will work for large numbers of crack-dependent people.

We do, however, have some hints as to strategies that might work. There is growing, though not yet conclusive evidence that peer pressure is the key inducement for drug use; that peer pressure manifests itself as a force to be reckoned with early in a child's life; and that if we can alter the direction of that peer pressure through school-based counseling programs, we may be able to make an impact. This may help us save a significant number of people in the next generation from drug abuse. These programs must be tried more intensively and tested more rigorously, however, before we can be certain of their efficacy and can look forward to saving a large portion of our next generation from succumbing to drug abuse and addiction.

We also know that the longer a person stays in a treatment program, whatever that program is, the greater the prognosis for success. The most serious problem is not the shortage of treatment slots. The real problem is the dropout rate. Many people want treatment only to get over the immediate depression or psychosis associated with drug use. As soon as they are over the short-term emotional hump, they want to be back on the street smoking crack.

**H**ow then do you reduce the dropout problem? Coercion, perhaps, is the only available strategy we have. It can work if we make drug testing an invariable requirement for being on probation or on parole. That is being done in some communities. But it is not at all being done in all communities. We must test seriously the strategy of requiring regular and random drug testing of everyone on probation or parole, should their criminal record indicate that it is necessary.

**A** second strategy that might reduce the dropout rate is civil commitment. In the 1960's many states, including my own state of California, tried this—a program of committing drug users involuntarily to a therapeutic institution and then releasing them after a few months. The release was conditional on a continuing program of drug testing conducted by a counselor or parole officer. The evidence from California suggests that, carefully monitored, such programs will make significant reductions in drug use because of the inducement to remain in treatment programs.

**A** third form of coercion, which we don't often think of as coercion, is that which can occur in the therapeutic community. I refer to residential settings in which addicts live with each other and are required to redefine and defend their own personality in the face of their peers. It is an effort to apply to drug abuse, on a 24-hour-a-day basis, the same lessons that Alcoholics Anonymous applies to alcoholism—that is to say, one must first confront the facts and admit that he or she is drug-dependent. Excuses and alibis are not tolerated. Most therapeutic communities have now learned this lesson. The question is: can we keep enough people in such communities to make a difference? The answer is: we do not yet know, but we ought to find out.

**T**he final and perhaps in the long run the most promising strategy comes from neurobiology and neurochemistry. Addiction is a disease of the brain. Alcoholism is a disease of the brain. We are beginning to learn how this type of disease works. We are beginning to understand that drugs affect the human mind because in a certain part of the brain drugs interrupt the normal chemical processes by which the brain communicates with itself.

**T**he brain consists of billions of nerve cells. Each cell must communicate with an adjacent one if pleasure is to be experienced, memory evoked, or language emitted. The way it communicates with its adjacent nerve cells is by sending a chemical from nerve cell A to nerve cell B. Those chemicals are called neurotransmitters. We now know that drugs—heroin, the opiates generally, cocaine and crack—interfere with the process by which neurotransmitters are sent across the gaps between the nerve cells. The research progress which has identified these processes has been rapid of late.

**T**his progress has been in no way thanks to the federal government. We spend hundreds of millions of dollars on cancer, stroke, and other diseases—and probably we should. But we spend peanuts on the disease that today is more likely to destroy our communities than all other diseases combined—the disease of drug addiction.

**O**nce you understand the neurochemical processes, you can cope with them. There are some fascinating clinical trials of drugs which block the effect of the cocaine high, permit a more normal life, and reduce the extent to which cocaine or crack interferes with the normal functioning of the brain. These programs are still experimental. But they suggest to me ways in which we can make some

progress—certainly more significant progress than we made in the 25 years in which I was associated with drug abuse control policies.

**S**o much for demand control. The other approach I want to emphasize has to do with the conditions of life in our cities. Whatever we do about drugs, whether we're successful in reducing demand, whether the new science of neurochemistry will provide us with guidance for treatment or not, whether school-based, peer-pressure control programs will educate young persons as to the dangers of drug abuse or not, regardless of all of this, we must take back the streets. Providing a framework of law, civility, and order in our communities is absolutely essential. And there is no excuse for waiting. Whatever happens to drugs, the streets must be made safer.

**H**ow do we make the streets safer? First we must consider what we know about efforts to take back the streets. What we know, I think, is that different police departments in the United States today follow different strategies. Perhaps every city requires a strategy tailored to its own particular circumstances. But the differences in the strategies I observe among police departments today are so great and the evidence supporting each strategy so thin, that I am not convinced that we know how best to take back control of our streets.

**F**or instance, some big city police departments focus their narcotics enforcement effort on finding Mr. Big—breaking up the big cocaine or heroin networks in their city; using undercover agents to work their way up; making undercover buys; developing informants. All are designed to get to the people at the top of the drug chain

**T**hat may be a useful thing to do, but it should be noted that Mr. Big is perhaps the link in the chain most

easily replaced. There are any number of people eager to step into the shoes of some Mr. Big who's been sent off to the penitentiary. Indeed, one of the reasons we are often able to penetrate big narcotics gangs is that a disaffected member, somebody who would like to be Mr. Big himself, has become a snitch and provided leads.

Other police departments focus on street-level dealers. Their strategy is to make it difficult for the addict to find drugs and to make the signs of drug dealing less evident in the neighborhood. This allows the normal social control processes of the neighborhood to reassert themselves, so that the citizenry, our ultimate line of defense, can take back the streets by conducting the ordinary routines of daily business—shopping, going to work, playing in the playground, and reporting on and otherwise informally controlling illegal and destabilizing behavior.

But even if we assume this is true, there are still serious problems remaining to be solved. Do we focus on all street-level dealers or do we concentrate our resources on one neighborhood at a time? And if we concentrate our resources on one neighborhood at a time, what happens? Is drug dealing truly suppressed, or is it just displaced to the next neighborhood?

Think of this as a problem of cleaning up the public parks in your city. Imagine that you're the director of sanitation. Your mayor says to you, "The parks are too dirty. Do something about this." You can make a list of the 50 parks in your city and notice that you don't have resources to clean up all of the parks simultaneously. So you say to yourself, "We can choose between two strategies: we can either take 10 percent of the refuse out of all of the 50 parks, or we can take all of the refuse out of two of the parks."

The first strategy seems silly, but on

the other hand, there will be enormous political pressures from all of the neighborhoods to take some refuse out of all of the parks, even if this would produce no discernable improvement in the condition of any given park. So you might be tempted to weather the political criticism and instead concentrate on cleaning up all of the refuse in just two of the parks. But that begs another question. What happens to the refuse that would have been put in those parks had your sanitation personnel not been stationed there? Is it now really being safely stowed in waste disposal bins, or is it being dropped in the other 48 parks that you're not attending to? This may sound like a minor problem, but I think it goes to the core of the issue. And I believe that neither those who study nor those who enforce know the definitive answer to that question.

What we need to do is decide what kind of politically feasible strategy will make the biggest difference in quality of life for citizens in the neighborhood.

Is that strategy community-oriented policing? I have written, with only slightly restrained enthusiasm, about the concept of community-oriented policing. In general, I believe in enlisting the people in a self-protection process and making the people and the police natural allies. But we don't really know whether community-oriented policing, which has often proved effective in breaking up ordinary street gangs, will have any value at all in breaking up street gangs that deal in narcotics. We don't know whether tactics of community-oriented policing which can rid us of graffiti in the subways and bus stops will be as useful in getting rid of the rock houses.

If I were asked what advice I would give to those charged with enforcing the law, I would say this. "I think

most of you, because of your own experiences, believe you have a good sense for what, in fact, works in your community. I certainly have no evidence to challenge you. But it seems to me that you have to continually ask yourself, is it really working? Or are you just moving the trash around in the city? Are you just trying to take 10 percent of the refuse out of all of the city parks? Or are you really cleaning up two of the parks and making at least those neighbors happy, even though you're irritating the neighborhoods in which the other parks are located? Do you really know what's happening to the trash that has been taken out of those two parks?"

And if you're sure you know the answers to those questions for your city, are you confident enough to recommend the same strategy for the next city, even though the prevailing conditions—political, social, economic—may be very different? It is that range of questions that we would like you to give us advice on, and perhaps we, in turn, can give you some advice on how to answer them.

*The Police Departments Under Siege conference was made possible through funding from the Ford Foundation.*

## **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200

Washington, DC 20037

(202) 833-1460

FAX: (202) 659-9149

email: [pinfo@policefoundation.org](mailto:pinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE.

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation

January 1990



## Beware Enforcement-Stage Dangers

# If Past is Prologue, Drug Epidemic May Weaken



David F. Musto

DAVID F. MUSTO, a professor of *The History of Medicine* at Yale University School of Medicine, has been studying the history of drugs and drug policy in the United States for 22 years. Author of *The American Disease*, published by Oxford University Press, Musto was a featured speaker at the Police Foundation's 1989 conference on "Drugs and Violence: Police Departments Under Siege—A Search for Solutions." The following is an edited version of his presentation.

We are today at a very crucial juncture in the current wave of drug use in the United States — the wave that began in the 1960's. We are completing, in my view, the transition from faith in treatment to hope in law enforcement. But the growing anger at drugs and drug users leading to an emphasis on law enforcement is reason for caution. What is expected of law enforcement is really quite

simple. What society now wants is for the police to arrest and imprison more and more people. It wants the police to act with finality.

But this may not necessarily be what law enforcement wants to do, or can do for that matter. The police may want to spend their limited resources on what they might perceive to be more effective deterrents to illegal drug trafficking than a door-to-door crackdown on dealers and users. Police chiefs confront the problem of resource allocation every single day. Do we try to get street level dealers? Or do we target resources on tracking down drug king pins? Or do we try to make our neighborhoods an environment in which drug use is discouraged? All of these are legitimate questions. Before we begin to design strategies for drug control and resource allocation, however, it might be useful for us to look at the history of drug use and abuse in this country.

Contrary to popular opinion, the drug epidemic underway is not the first one we have seen. Many have lost sight of the fact that the low cocaine and opiate use 40 years ago was a lull between two great epidemics—today's and one that was in full force around the turn of the century. Indeed, if you grew up in the trough between these two epidemics, in the thirties and forties, you might have assumed that America had been a drug-free country until the 1960's.

When I studied pharmacology in medical school in the late 1950's, we were told that cocaine abuse used to be a big problem in America, but that it had been solved. We would ask questions the average high school student wouldn't have to ask today. What exactly is cocaine? How is it taken? And so on. Of course, if one studies history, this collective amnesia should come as no great surprise; wiping out evidence of that first drug wave was actually official policy of the thirties, forties, and fifties — a phenomenon I'll say more about later.

Today's advocates of the legalization of cocaine may thus be shocked to find out that the United States was the only major western nation to allow unlimited distribution, sale, and promotion of narcotics during the 19th century. The use of opium and morphine, and later cocaine and heroin, was extensive. In the 1890's, the consumption of opium and its active ingredient, morphine, peaked with an estimated quarter million addicts. The population of the United States at that time was about 60 million, or less than a quarter of what it is now. At the same rate of

use, we would have about one million opiate addicts today. Indeed, that's about what we have.

**A**ccording to import statistics, the amount of opiates entering this country gradually increased during the 19th century up until the 1890's and then slowly declined. Heroin entered the market in 1898. For the recreational user, heroin had advantages over morphine. It was much more water soluble, permitted an injection of a much more concentrated solution, could be smoked, and could be sniffed. By 1915, heroin had overtaken morphine as the cause of opiate-related admissions to Bellevue Hospital in New York City. In fact, the title of my book, *The American Disease*, refers to teenage heroin addiction in New York City around the time of World War I. Experts didn't see this happening in other countries; they called it the American disease.

**C**ocaine was made readily available in easy-to-use forms by manufacturers such as the Parke-Davis Company in the 1880's. Before that time, if you wanted cocaine, you could purchase wine which contained an extract of cocoa leaves. There were several wines available. Unlike opium and morphine use which spread gradually through American society, cocaine rocketed into popularity as an ideal tonic when it became available in its pure form — cocaine hydrochloride. Some experts went out of their way to assure Americans that this stimulant was not habit-forming, would not cause any harmful side effects, and furthermore, could cure morphine addiction and alcoholism. You could go downtown and buy it in the store; you could get it by mail order catalog, just like you could order hypodermic syringes. Small wonder that in 1885, within one year of the introduction of pure cocaine, Parke-Davis Company could report that there wasn't a second-rate drug store in any one of our cities which did not have a supply of cocaine on hand.

The soft drink Coca-Cola contained cocaine until the turn of the century. Cocaine was sanctioned as the official remedy of the American Hay Fever Association. In some cities, such as Washington, D.C., cocaine was peddled door to door.

**C**ocaine's effect on the public parallels, in a way, its effect on the body. In contrast to opiates, cocaine rose much more suddenly in popularity, and then plummeted into a fearful image connected with violence, distorted thinking, and ruined careers. In 1910, President William Howard Taft sent to Congress a report describing cocaine as "...the most threatening of drug habits which has ever appeared in this country."

**T**hat was the beginning of a long, painful end. Eventually, more slowly than Americans wished, the epidemic dissipated. Although history doesn't repeat itself neatly, the broad outlines of this earlier wave of drug use and its eventual decline provoke reflection. They suggest that we are not indefinitely in a wave of drug use. And it also raises the question of whether or not the decline came from an eventual interruption in the supply. Or did Americans turn away from drugs in disgust and fear?

**W**e must first ask ourselves why the United States failed to control narcotics in the 19th century. Much of the answer lies in the interpretation of the United States Constitution, that is, its strict construction. Police powers were left to the states. The federal government was not concerned about physicians doing the right thing or passing out this or that type of drug; that was for the state or the locality to worry about. In short, there were no national laws — unlike almost all other western countries, which by the mid-1800's had national pharmacy and medical laws, and control of poisons and drugs.

**F**urthermore, there were no really

effective national organizations of physicians and pharmacists. Anybody could claim to be either one. Most licensing laws had been repealed by the middle of the 19th century. There were no rules at the national level.

**T**he rising abuse of opium and morphine in the 19th century did lead some states to enact laws requiring a physician's prescription for purchase of opiates. Late in the century there were also some general state anti-drug laws. But even in those states, enforcement appears to have been ineffective.

**T**he major difficulty for proponents of a national anti-narcotic law, constitutional separation of powers, was resolved only with great effort. And although Congress in 1914 passed the Harrison Narcotic Act, our first major national anti-drug law, the Supreme Court didn't interpret it as prohibiting addiction maintenance until 1919.

**T**here are some lessons we can learn from that first epidemic and our response to it. One is that while our physiology remains the same — the initial use of drugs is pleasurable for most people — the attitude toward drugs, which rejects even trying them once, is learned from experience. And we, as a nation, are more vulnerable to a wave of drug use if we have no knowledge about or memory of the consequences of drug abuse.

**W**e have learned that the rejection of drug use is accompanied by increased fear and anger at the drug user. And so, in one respect, it is a hopeful sign that anger and fear is growing among the American people. In another respect, however, there is a very destructive side to drug antagonism, as became apparent in the decline phase of the first epidemic. For instance, there was a widespread assumption, fueled by racial prejudice, that there was an almost exclusive

connection between blacks in the South and the use of cocaine. The turn of the century marked both a peak in the loss of voting rights and violence towards blacks, as well as a peak in the fear of violence from cocaine use. The truth was, of course, that some blacks did use cocaine; and so did some whites. But the popular linkage of cocaine, blacks, and violence served as justification for repression of both the drug and the group.

**D**rug use is symbolic. It represents so much of what we don't like that it is very easy to link it with other things that we dislike or fear. There were a number of police departments, I discovered, that used the fear of cocaine to switch from .32 caliber pistols to .38's. It was said that you couldn't stop someone crazed with cocaine with just a .32.

**F**ear of drugs and aberrant behavior related to their use has raised civil rights concerns in our own era. Consider drug testing, an anti-drug tool unavailable in the earlier epidemic, which has become a weapon against drug users, but which is wielded perhaps without thoughtful concern for privacy and an awareness of testing error. This morning's newspaper was illustrative. There was a story about a city that was going to implement some sort of drug testing. No one had objected. The person who ordered the drug testing was not concerned either. "Why would they object," he said. "I mean, why wouldn't they want to be tested," implying, I am sure, that if you're not for widespread testing, you're for drugs.

**D**rug testing, of course, appeals to the magical notion of a surefired way of catching offenders — a sort of chemical lie detector. It isn't that drug testing doesn't have a place, but it seems as if we're approaching an attitude in this country which says that even raising questions about drug

testing or trying to figure out what's the appropriate use for testing, is tantamount to being soft on drugs. I am very concerned about how the drug testing programs are structured and administered. We should be very careful.

**G**etting back for a moment to our domestic policies in the declining phase of the first drug epidemic, I should note that the United States Supreme Court interpreted the Harrison Act of 1919 as forbidding maintenance. As a result, we had almost no legal maintenance in this country until methadone in the 1960's.

**A** challenge against the anti-maintenance provisions of the act was defeated by the Supreme Court in a 5-to-4 decision. The Court's conservatives voted against it. The liberals, Holmes and Brandeis, voted for stopping addiction maintenance and availability of drugs. That is rather ironic given the fact that we now consider giving out drugs to be a

liberal position, and stopping them a conservative one.

**O**nce drugs had fallen into strong disfavor, an active campaign against health professionals was launched — one that was quite unfair in some ways. Physicians were blamed for about one third to one half of the addicts in the country. Everyone was upset with physicians. Even the physicians. And, unfortunately, the Narcotics Field Force functioned a bit unscrupulously at that time. Eventually, in the 1930's, it was admitted that there had been irresponsible conduct on the part of narcotics agents.

**T**heir misconduct aside, the atmosphere thus created had a counterproductive side. Health officials became extremely cautious about prescribing or dispensing narcotics, even for pain control. Was it warranted? After all, it was only a minority of physicians who had been irresponsible. And the American



Conference participants listen as David Musto says that the strategy of draconian penalties, silence, or exaggeration, although absolutely well-meaning, should be rethought.

Medical Association had originally supported the Harrison Act. Health workers in general were as upset as anyone else about the drug problem. The effect of the extra caution, however, may have led to inadequate pain control; patients had to endure unnecessary discomfort. The fear of addiction among both patients and health professionals reached extreme levels in the decline phase of the epidemic.

**T**he concern over pain medication is still observable among physicians and patients. I have heard reports that there are patients refusing to take pain medication even though it's perfectly safe for them to do so. They refuse because it's a drug, because they've heard that such drugs are addictive, and because they think they're doing something better for themselves by not taking them. There are, as well, physicians who are very cautious about prescribing. This kind of atmosphere encourages the idea that there is no value whatsoever in, let's say, opiates or morphine. That is not the case at all.

**M**oving into the thirties, the first thing we did was to require that every school in America have anti-narcotic education—thus making today's drug education programs the second wave. Some of the earlier narcotic education programs were excellent. I came across one from the early thirties in Massachusetts which was carefully organized, from the first to the twelfth grade, and integrated with the rest of the school curriculum. It was a very reasonable program; I really couldn't find much with which to take exception. But as drug use went down, school-based drug education sank as well.

**S**ilence on the drug issue was not strictly correlative with its decreased use, however. There was a conscious if misguided effort to suppress information about drugs. Take the motion picture industry, for example. Around

World War I, even to the twenties, Hollywood showed how much fun drugs were. Then they showed how terrible drugs were. Finally, in 1934, the Motion Picture Association of America, composed of all the major studios, established a rule prohibiting any depiction of any drugs, good or bad, in a motion picture.

**O**utside of Hollywood, the prevailing philosophy held that if one had to discuss drugs, their dangers should be grossly exaggerated. Marijuana is a case in point. When the marijuana tax was passed in 1937, the Federal Bureau of Narcotics' workload increased, but the bureau wasn't given any more agents, nor any more money. So they tried to wage the war against reefer madness with words. Someone who had been in the government at the time once told me, "...our idea was to make drugs sound so disgusting, so horrible that you wouldn't try it once." We didn't want to show any ambivalence about drugs.

**T**he third aspect of a strategy to remove drugs from the public consciousness and off the streets — the first two being silence and exaggeration — was the imposition of heavier penalties for drug use. We went from rather ordinary tax evasion penalties under the Harrison Act all the way to the death penalty in later years. Capital punishment was the final measure to make sure it never happened again.

**N**ow we know, of course, that it did happen again. And I suggest to you that the strategy of draconian penalties, silence, or exaggeration, although absolutely well-meaning, should be rethought. It did not prevent another epidemic. What it did do was wipe out any knowledge of the first one. We and the people who were alive during the turn of the century drug era have had more exposure to drugs than any other people who have lived in America. When the two cohorts, a lifetime

apart, pass on, that knowledge may be lost once again.

**W**e raised in the sixties a generation of young people who had no knowledge at all about drugs. The hope was that, not knowing, they wouldn't become drug abusers. But it obviously was a false hope. As I've said, our physiology does not change. We're always ready to turn on to drugs. Cocaine will at first cheer up and stimulate anybody in any year; it's our attitude that argues against trying it even once. And that, apparently, takes 20 to 25 years to soak through society.

**F**inally, I want to say that we are headed toward what I fear may be a two-tiered drug problem in the United States. We are beginning to see a decline of drug abuse in the middle class and a rise of intolerance toward drugs. But that trend is paralleled by a continuation of drug abuse by some in the inner city. The reason the middle class is turning against drugs is that they interfere so much with future achievement — graduating from school, keeping your family together, paying the mortgage, showing up on time, being productive. In the inner city, education is often in shambles. There are few job opportunities. If one assumes there is no future, as an inner-city youth in poverty might, the only thing that matters is the next hour or the next six hours.

**B**ut will the middle class or most Americans, in their anger and their hostility at drugs and drug users, say to themselves, "...well, some people in the inner city do not have long-term goals and a less than rosy future. It's a complicated matter and we'll have to think carefully about how we go about making policy to address the problem." I think not. There is a temptation to write off the whole inner city as just a bunch of drug addicts. Those in the inner city who are trying to retrieve their playgrounds and their hallways are written off with everyone

else. The most vigorous fighters against drugs in this whole country happen to be in the inner city. But, again, there is nothing like fear to cause people to think in extremely simplistic terms.

---

**In general, as more of the burden of the anti-drug war is placed upon law enforcement, the difficulties for any non-punitive actions will increase.**

---

Is treatment the answer? Treatment ideas and policies flourish in the first half of a drug epidemic, when drugs are seen as not bad in themselves, only bad when misused. So we put a lot of money into research and treatment. We have a tendency in the later stages of the epidemic to see all drugs as dangerous. It then becomes less important to discover why a drug is dangerous, or how a drug is dangerous. Research is no longer relevant. To solve the problem, it is reasoned, all you have to do is to separate the person from the drug.

In the first and even in this epidemic, treatment support faded as fear and anger mounted. And in contrast to jail and fines, treatment becomes perceived as slow, unpredictable, only partially successful, and implies a certain softness toward the

drug user. Therefore, although funding is promised for this part of an integrated anti-drug strategy, the long-range mood of our time is not favorable to research and treatment.

In general, as more of the burden of the anti-drug war is placed upon law enforcement, the difficulties for any non-punitive actions will increase. The growing anger at drugs and drug use asks for punishment as the appropriate, perhaps the only response from law enforcement. This trend, of course, worries those in public health and research, but it also worries the leadership of law enforcement. How can the elemental anger that Americans feel be directed into productive, rather than destructive,

channels? How can positive developments at the community level be aided by law enforcement when the pressure is on for mass arrest and imprisonment? This is a conundrum for everyone in a responsible position — from the drug czar to the local police official. And this is the time to think deeply about the unparalleled public and political pressure on law enforcement.

*The Police Departments Under Siege conference was made possible through funding from the Ford Foundation.*

### **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20037  
(202) 833-1460  
FAX: (202) 659-9149  
email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE .

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation  
January 1990



## The New Entrepreneurs

# Gangs and Crime Old as Time; But Drugs Change Gang Culture



Jerome H. Skolnick

*JEROME H. SKOLNICK is Claire Clements Dean's Professor of Law in the Jurisprudence and Social Policy Program of the University of California at Berkeley. What follows is an edited version of his remarks at the 1989 Police Foundation conference on "Drugs and Violence: Police Departments Under Siege—A Search for Solutions."*

Although many of us may long for the safe streets of the "good old days," gang kids and street crime are scarcely a novel feature of the urban American landscape. The benchmark study of the urban gang is still Frederick Thrasher's of 1,313 Chicago gangs, first published in 1927. The disorder and violence of these gangs appalled Thrasher, who observed that the gangs were beyond the ordinary controls of police and other social agencies, beyond the pale of civil society. He saw "regions of conflict" that were "like a frontier." He described gang youth as "lawless, godless, wild."

Of these youthful gangsters, only 7.2 percent were identified as "Negro." Located in economically disadvantaged neighborhoods, the Chicago gangs of the 1920's were composed of the children of immigrants—mostly Poles, Italians, and Irish, mixed with Jews, Slavs, Germans, and Swedes. Their moral posture seems scarcely different from that of today's young gang members. "Stealing, the leading predatory activity of the adolescent gang," Thrasher wrote, "is regarded as perfectly natural and contains no more moral opprobrium for the gang boy than smoking a cigarette." Today's youthful gangsters sell illegal drugs, particularly crack cocaine, with similar moral abandon. Armed with semi-automatic military weapons, they are capable of far greater injury to themselves and others.

These past two summers, my students and I interviewed more than 100 youthful drug dealers serving time in California prisons. We interviewed

more than 100 law enforcement officers as well. The dealers were tough kids, all of whom said they had participated in violent acts. In their world, a youngster proves manhood by fighting other gang members; or dispatching himself fearlessly in conflict with outsiders. We learned some very interesting things about these kids, their gangs, and their participation in the drug trade, and we gained some insights that might help us control their illicit activities.

One of the first questions we asked ourselves was how gangs and street drug distribution were related. To ask the question presupposes that there is some inherent relationship between gangs and drugs, or that in some way gangs are synonymous with drugs. Our data suggest this is not true, nor should it be assumed that just because gang members participate in the sale or use of controlled substances that gangs have some pre-established arrangement to do so. Our research indicates that the relationship between the traditional or neighborhood-based gang—which we call the "cultural gang"—and drugs is not so causal. On the contrary, the cultural gang is strongly grounded in a neighborhood identity which may extend through generations.

We designate these gangs as cultural to distinguish them from opportunistic groups of young men calling themselves gangs or mobs, but which are vertically organized primarily for the purpose of distributing drugs. This type of gang dominates the drug trade in northern California and in other parts of the United States in which gangs do not enter-

tain such a developed ideology of neighborhood loyalty.

Such gangs are usually regarded by their members as "organizations" and are considered strictly business operations. They are organized primarily to engage in criminal activities. We call these "entrepreneurial" gangs in the sense that the fealty of membership depends on the opportunities offered by leaders, usually those who can claim a reliable connection to a source of drugs. These gangs are thus less neighborhood centered and more business focused, although recruitment usually occurs within an identifiable neighborhood or housing project.

Like any other capitalist enterprise, these drug marketing organizations are motivated by profits and the control of a particular market or markets. But unlike many capitalist enterprises, not all drug organizations strive for growth or expansion. They often perceive themselves to be local businesses. Some may merely seek to control drug sales and distribution within territorial boundaries, such as a part of the city or a housing project.

The data we have collected suggest that mob-associated violence in northern California tends to be instrumental, that is, for the purpose of controlling a drug territory or for enforcing norms of loyalty to the organization. By contrast, Los Angeles drug dealers engage in both cultural and instrumental violence. Cultural violence is called "gang banging"—a symbolic aspect of gang loyalty and social identity. But the Los Angeles gangs seem to be changing, indeed dynamically so, as the values associated with drug marketing come to the fore and gang members migrate as markets expand.

Although we did not find a causal link between gangs and drug distribu-

tion, our research did indicate that most, if not all, cultural gang members had their first contact with drugs, either as sellers or users, as members of the gang or the "set." For the most part, they started off as users, doing drugs with other gang members, first smoking marijuana and then moving on to more potent or sophisticated drugs, such as PCP, cocaine, or heroin.

None of our respondents claimed to be a member of a gang which had neither used nor sold drugs. We were told that older gang members routinely assist younger ones to sell drugs. This is considered to be a friendly gesture, a measure of economic opportunity. An older "homeboy" in any gang may help out a younger one by consigning or "fronting" some drugs to him. Since most gang members come from economically depressed communities and backgrounds, the drug selling business is very appealing, especially in Los Angeles where the protection of the gang is also assumed. There are more youngsters, we were consistently told, who want to sell drugs than can be accommodated.

Once a youngster is accepted into a cultural gang, participation in the drug business can facilitate upward mobility. To advance your position in a gang, it is important to show that you are willing to take risks, are fearless, are willing to hurt and be hurt, and can be trusted. Drug related activities—especially inter-gang violence for Crips and Bloods gang members—present some of the most risky, and therefore the most rewarding of gang activities. This is nothing new. Thrasher makes a similar observation regarding the 1920's Chicago gangs: "The gang is a conflict group. It develops through strife and thrives on warfare."

Virtually every gang member we interviewed had been attacked or

injured with a deadly weapon. Several had been shot more than once. Gang members prize the capacity to injure and accept injury. Violence is, in effect, a moral injunction and of instrumental value in supporting participation in a dangerous and lucrative business. Although the cultural gang is not organized for the express purpose of selling drugs, this activity is facilitated by gang norms, values, and organization.

Criminal activities—stealing hubcaps, stealing cars, burglaries—have never been uncommon in the southern California cultural gang. As Joan Moore points out in *Homeboys: Gangs, Drugs, and Prison in the Barrios of Los Angeles*, "In the poverty environment, small scale extortion was (and is) fairly common among teenagers to obtain public consumption ends." Malcolm Klein's study of an east Los Angeles gang in *Street Gangs and Street Workers* shows similar patterns of delinquency—theft, truancy, status offenses such as incorrigibility—as a minor part of gang life. Moreover, gangs have always formed some important part of the illegal economy, with the sale of drugs, particularly marijuana, heroin, and PCP, as part of an innovative response to economic deprivation and restricted economic opportunity in the larger society.

Nevertheless, in contrast to the instrumental gang, the cultural gang exists prior to and independently of the illegal activities in which it is engaged. At least on an ideological level, gang and neighborhood values dominate financial ones. Thus, a young man who describes himself as a "Rollin' 60's Crip" denies that his organization is primarily a drug dealing gang:

"Nah, it's for fun. It's part of being bad and being part of the neighborhood. Like if someone come shooting up our neighborhood, we go back and shoot up theirs."

How similar this seems to Thrasher's gang members who, he says, "...are impelled, in a way, to fight: so much of their activity is outside the law that fighting is the only means of avenging injuries and maintaining the code."

Members of cultural gangs refer to themselves as an extended family, as a community. Our respondents said that notions of brotherhood, sisterhood, loyalty and respect, especially for those who are more experienced or older, are important values. They are frequently described as sacred and form the backbone of gang organizational structure. Thus, the gang is considered to be a familial resource, with strongly held values of attachment and loyalty. The cultural gang is a place where individuals can turn to homeboys for financial support, physical protection, and other assistance when necessary.

Significant ethnic differences are also apparent between L.A. neighborhood gangs. Family and community ties are most apparent among Chicano gangs. Such ties are sometimes traceable through several generations. The newer black gangs, while they observe similar conventions of respect, loyalty, and brotherhood, do not have the stability and historic roots of the Chicano gangs. And although black gangs identify with neighborhoods, they do not seem to command the solidarity and traditional values of local Chicano neighborhood gangs.

Indeed, our interviews suggest that black neighborhood gangs are increasingly organized for financial reasons. Individuals are attracted to gangs, not for what gangs represent to others in the neighborhood, nor for what they represent to other gangs, but rather for the opportunity they

provide for dealing drugs.

Nonetheless, cultural gang control of drug dealing seems to have intensified, partly due to the social organization of the gang, which offers trust, knowledge of others, common values, and thus helps meet the economic needs of a drug dealing organization. Drug dealing then becomes a paramount value, particularly as the gang member ages. One of our 20-year-old gangsters said, "There's still a lot of gang bangin' goin' on, but it's the younger generation. The people my age, they kickin' back now, they out selling drugs." He said it almost wistfully, as if the older gangsters were selling out by losing interest in gang values.

The concept of rivalry is significant for these cultural gangs, with violence as a symbol of personal and neighborhood respect and identity. A Crip will fight a Blood for a cause seemingly similar to that which might motivate a Serbian to fight a Croatian—perceived traditional rivalry. Imprisoned gang members we interviewed have been involved in numerous encounters. When asked why he shot someone, the gang member will say, "Because he dis'd (disrespected) me," or "They shot my homeboy."

Youngsters grow up and distinguish themselves in gang banging or "putting in work for the gang" that is, in fighting with other gangs over matters that are seen as central to identity. On the other hand, one of our interviewees offered an instrumental interpretation to gang banging. "Reputation," he said, "is the most important thing. They want the reputation as being crazy, going out and shooting, because with the reputation will come the money."

The predominantly entrepreneurial gangs in Oakland and San



Skolnick clarifies a point about the distinction between cultural and entrepreneurial gangs with conference participant George Dickscheid, Acting Deputy Chief, Newark, N.J., Police Department.

Francisco do not on the whole recognize or give deference to such traditional rivalries. This does not mean that they will refuse to engage in violence. On the contrary, they can be pitilessly savage. But when such violence occurs, it is instrumental—the gang seeks to maintain or expand its territory, to enrich its economic opportunities, or to protect its authority. As self-perceived organized criminals, they prefer to develop understanding of territorial boundaries, an almost rational sharing. Of course, rational sharing doesn't always happen among entrepreneurial gangs anymore than it does among traditional Mafia families. But youthful and symbolic gang banging in general is viewed with disdain.

In Northern California, entrepreneurial gang members develop reputations by performing economic services, such as acting as lookouts for police while drug dealing is in progress, or steering customers to drug dealers. Many L.A. gangs, by contrast, require each member to satisfy some membership criteria before he can be considered a homeboy or an official member. Membership criteria may include anything from getting beaten, often referred to as getting jumped, to selling drugs, to killing a rival gang member.

Violence is thus a central aspect of both cultural and entrepreneurial gang activity. But the purpose of the violence often differs between gangs. Purpose in turn affects the frequency of violence, the resources gangs are likely to have for engaging in violent activity, and ultimately, the degree to which gang violence can be controlled by law enforcement. The violence of cultural gangs has traditionally centered on retribution and the assertion of neighborhood-gang identity. Entrepreneurial gangs, by contrast, employ violence to control or expand their drug business and markets. Thus, depending upon the

stability of the market, the entrepreneurial gang may be more or less violent than the cultural gang.

If a market becomes destabilized, whether by a rival entrepreneurial gang or by law enforcement, then violence is likely to erupt, as it did in Oakland after the arrest and conviction of three major drug dealers and their lieutenants. There also appears to be an inherent instability in markets where the gang's predilection is to expand; or where a valuable territory is targeted by other gangs. The entrepreneurial gang exists and thrives only insofar as it can control a market and intimidate its competitors. By contrast, the authority of the leaders of cultural gangs rest on tradition as well as power. But the cultural gang comes to look more like a drug organization as pecuniary values come to dominate. As one interviewee said, "Red and blue don't matter so much anymore. I wear a green rag. My color is green."

The organized gang offers several advantages to the drug dealer who is a member. First, the gang member can rely on his homeboys for protection if anything were to happen to him in or outside gang turf. Second, gang members enjoy easy control and access to territorial markets. They can sell drugs in their own neighborhood without intruding upon the turf of others. In return, they can exclude others from selling on their turf, a territorial monopoly backed by force. Third, trust inheres in the homeboy relationship, so gang members are expected not to betray other members to the police or rival gangs. And finally, gangs offer a rich source of shared marketing information—about who sells what for what price and who has which drugs available is easily communicated among gang members.

Individual drug dealers do not enjoy the same advantages. They

must develop their own reliable connections with suppliers. They must establish their own turf and be careful not to intrude upon gang turf. They must establish their own clientele. They do, however, enjoy the advantage of not having to fulfill gang obligations, which in Los Angeles may result in serious injury or in death.

Our interviewers found that correctional facilities are a fertile ground both for developing drug business contacts during incarceration, and for affirming the identity of gang members. Prisoners say, and correctional officials confirm, that drugs are routinely marketed even in prisons, although prices are much higher.

Well-intentioned correctional officials seek to identify the putative gang affiliation of every inmate and ward as a means of avoiding conflict and bloodshed among rival gangs. In one institution, drug dealers from northern California are referred to, by both themselves and the prison officials, as 415's—the area code for the San Francisco Bay Area.

But by structuring inmate assignments along gang lines, the correctional system ironically supports the gang identity of inmates. Moreover, the identification of one's self as a person who has served time affords the inmate an alternative kind of homeboy status—the prison becomes a kind of neighborhood.

Today's California correctional institutions—overcrowded as they are with parole violators who have failed drug testing—have become, in effect, schools for advanced drug dealing connections. Drug dealers who leave prison are rarely, if ever, reformed. On the contrary, imprisonment for drug dealers, both gang and individual, may well serve functions similar

to those that conferences perform for business people, scholars, and police chiefs—an opportunity for "networking."

One of our more intriguing findings was that, unlike heroin dealers, successful crack dealers don't use the product. What is more, they disdain users. One said:

"People who buy the drugs . . . we call them "cluckheads," "caneheads," "crackheads," things like that. You can't sell drugs and use dope at the same time, 'cause you won't get nowhere. You're not going to make no money. So, basically, I try to keep myself away from people who sell and use drugs, 'cause otherwise you come up short for money."

Successful dealers consider use a business impediment. In one dealer's words:

"I never use cocaine; it's not real when they say that a person that sells ends up using his drugs; that's not true, he's like an outcast...you get beat up, dogged out; nobody respects you anymore, it turns you scandalous; the s--- will make you steal from your mama."

This suggests that, however compelling the drug, those who try it and use it are not necessarily hooked. Consistently in our interviews we found gang members who claimed they had given up any drug use that would impair their ability to function in their business or to maximize profits.

Another interesting market finding is that although a variety of dangerous drugs are sold on the street, in bars, at truck stops, and in houses, crack cocaine selling seems to be associated primarily with black youth. There seems to be little disagreement about the relative lack of involvement by Chicano youth in the crack

cocaine trade in Los Angeles. To the extent they indulge in drug trafficking, Chicanos seem to prefer, for both sale and use, Phencyclidine (PCP) and marijuana.

We did not discover, nor did anyone we interviewed—police, psychiatrists, sellers, or users—offer a compelling explanation of why drug sales and use vary with ethnicity. Individuals in all groups apparently use alcohol, cigarettes, and marijuana. When we explore harder drug use, however, all of our subjects across the spectrum report that whites prefer speed and powder cocaine and some heroin; Mexicans prefer PCP and heroin, and may be beginning to use crack; and while older blacks prefer heroin, younger blacks prefer crack cocaine or PCP. Even in San Quentin, we were told by prison officials, psychiatrists, and prisoners without exception that whites used "crank" (amphetamines), blacks used crack, and Mexicans used PCP. Some prisoners, especially whites, extolled the pleasures of combinations—heroin and coke, or heroin, crank and coke.

Heroin seems, however, no longer to be a drug of choice among younger users in any ethnic group. As heroin users die off, we may well find a sharp decline in heroin use over the next decade. This is especially true in the black community, where crack cocaine appears to have replaced heroin as the initiate's drug of choice. On the other hand, heroin mixed with other drugs may make a comeback.

The contemporary drug distribution pattern suggests something about drug markets that we also know from history—which drug preference, the epidemiology of drug use—seems less related to the intrinsic properties of the drug than to the social definition of a particular substance as the drug of

choice. Suppose we actually could destroy the Peruvian, Bolivian, and Columbian cocaine fields? Lurking in the background are a variety of manufactured drugs. It is likely that those trained in faster living through chemistry can design and manufacture what addicts would consider the ideal drug—one with the kick of crack and the longevity of crank.

We could find ourselves looking at a designer drug problem more potent and destructive than anything we've yet seen. Indeed, a powerful new drug, a colorless and odorless form of crystal methamphetamine with the street name of "ice" is said to be sweeping Hawaii and is threatening to invade the West Coast ports of San Francisco, Los Angeles, and Portland. It may only be a matter of time before the drug finds its way across the country to replace "crack" as the drug of choice during the 1990's. The only good news ice will bring is its economic challenge to the Medellin Cartel—but it is doubtful that the distributors of the new drug will prove more concerned for public health than the cocaine producers.

But back to crack cocaine—the drug of the moment. Dealers told us that wholesaling is generally considered to be safer than retailing even though less profitable, since law enforcement is most limited at that level. Thus, Los Angeles gangs have taken to becoming wholesale distributors throughout the western part of the United States.

This is not to suggest that wholesaling is without risk and considerable anxiety, not so much from being caught—this is a remote concern—as from being killed or injured by other drug dealers. As one of our higher level dealers said:

"About selling dope, it's money, you have a good life. But the worst thing about it is buying it. When you

sitting up there in a little motel room and everybody got guns, holding guns, and counting money, you sweatin'. No windows open—nothin' can be open 'cause you got all that dope. And you're talkin' about price. Then I say, 'Well, I can only give you seventeen for this right here.' And he says, 'F--- that, on the phone you told me different.' You don't want to look weak and he don't want to look weak. All that tension. If I could ever find a way where I didn't have to buy nothing, just trust somebody with all that money, I'd never buy again."

Any discussion of the business arrangements of street drug dealing requires mention of the several alarming ways drug dealers—particularly cultural gang dealers—are developing increasingly sophisticated business practices. Many of these practices comprise tricks of the trade which are most readily and easily passed between gang members and hence must be seen as yet another advantage gang dealers enjoy over independent street drug dealers.

- First, since a dealer has a drug-selling organization at his disposal, lower-downs in the organization can be and routinely are employed to handle the high risk work of handling drugs.

- Second, the gangs have learned to employ novices—particularly young women whom they exploit mercilessly—to distribute drugs around the country.

- Third, they have learned that law enforcement is well aware of color identification of gangs, and so they report that gang dealers have learned to avoid colors, switch colors, or wear neutral colors when completing drug deals.

- Fourth, they have learned that it is wise to have an effective lawyer.

- Fifth, dealers are more aware of legal risks and associated penalties. Thus, they generally dislike dealing from houses, because there is too much evidence to be found. On the other hand, those who manage crack houses are not necessarily directly involved with the drug deals being made there. One of our dealers described his strategies for avoiding arrest:

"I got a basehead's apartment. It be in his name, but I pay the rent. That be my dope house. I have a couple of dudes known for killin' people—everybody know you don't f--- with them—they work in the house. Then I had other people on the roof, riding bikes and stuff, with walkie talkies, watchin' out for police. I was in the city with a beeper, if they need me or they need more dope. I had girls or somebody young deliver the dope so that if they get popped they don't do a lot of time."

In 1989 our interviews focused on gang migration, and examined two conflicting explanations for that phenomenon. One is that these well organized groups target a particular market and quite consciously move in, retaining strong links with the "mother" or "host" gang. Another is that individuals opportunistically move to another city, set up a new gang with few or no links to the old, while using the old gang's name and symbols. Neither of these explanations is entirely accurate. The right answer seems somewhere in between.

- Our findings indicate that gang members are motivated to move out of Los Angeles partly because the L.A. police are said to be sophisticated about drug dealing, and thus more of a threat; but mainly because there is too much competition among L.A. sellers. They can make more money, doubling



FBI Director William Sessions (center), a conference keynote speaker, takes a moment to chat with chiefs William J. Abair of River Rouge, Michigan (left), and Harold Johnson of Ecorse, Michigan.

and sometimes tripling the price outside the greater Los Angeles area.

Individuals or groups of gang members usually migrate to places where they have relatives or trusted friends. There seems to be a settlement pattern in places like Seattle and Portland, relatively close to Los Angeles, but a little too far for an easy drive. L.A. gang members usually don't settle in Sacramento, but instead come up for a weekend, and sell drugs out of a motel, then return home. Nor do they seem to settle in places like Kansas City. Instead, they develop connections with relatives, and supply them with powder cocaine, which is cooked in Kansas City.

Police infiltration in such situations is difficult, but not impossible, because eventually drugs must be sold to local people. A street-smart Kansas City black female officer told me that despite executing several search warrants and making undercover buys, she wasn't aware that the sellers were L.A. gang-related until they were apprehended and their backgrounds investigated.

Our study of gangs and drug dealing would suggest then that drugs are a national as well as a local crime problem. In a sense, every drug sale is potentially a federal crime, and policy—usually federal—determines whether drug crimes will be federally or locally prosecuted.

If our goal is to toughen law enforcement, federal prosecution surely has that effect. Joint federal and local law enforcement is more likely to apprehend and convict the migrating drug dealer. The local police provide on-the-scene intelligence, and the feds offer greater financial resources, plus the advantages of federal criminal procedures. L.A. or

Jamaican drug dealers who are federally prosecuted will typically not qualify for bail, will have little opportunity for plea bargaining, and will likely be sentenced severely. Thus, Kansas City is reportedly known as a black hole to Jamaican drug dealers since, once arrested, they will not see the street for a long time, perhaps 20 to 30 years.

Nevertheless, law enforcement's ability to fight the drug problem is limited. There is also a danger in the "take back the streets" tactic. If police become too tough on the street and employ harassment measures, they may succeed in deterring some dealers, but they may also inflame anti-police attitudes at a time when it is essential that police be responsive to communities.

There is also a more general law enforcement dilemma, which I call the Darwinian Trafficker dilemma. As law enforcement officials develop increasingly sophisticated strategies, the strongest operatives survive. That is why the gangs have been successful. In the face of more effective law enforcement, they have learned to organize vertically, pull together and seek wider markets, particularly in economically distressed communities.

Such communities will need to have resources, not just for exiling offenders to prison, but for creating a social and economic climate where the drug business is not the major avenue of economic opportunity. Drug enterprising will scarcely be affected unless significant alternatives exist and are seen to be available.

The inner city drug dealers we talked with can be dangerous, sometimes violent criminals. But they can also be described as rational, calculating, enterprising entrepreneurs who are anything but risk averse. Today's

gangsters appear morally similar but technologically superior to the traditional gangs described by generations of gang researchers from Thrasher through such contemporary gang researchers as Malcolm Klein, Irving Spergel, and Joan Moore. In some respects, they appear more like organized criminals than youth gangs. But, as Thrasher pointed out during the Prohibition Era, "There is no hard and fast dividing line between predatory gangs of boys and criminal groups of younger and older adults."

It is worthwhile recalling that the legendary gangsters of that era were still teenagers when the constitutional amendment that instituted prohibition was passed—Meyer Lansky, for example, was 17, Bugsy Seigel 15. Our new prohibition has created the opportunity for a 21st century generation of organized entrepreneurial criminals from the underclass—this time around, primarily from black, Asian, and Hispanic backgrounds instead of Thrasher's children of East European immigrants. Our challenge as a society continues to be to turn the energy and intelligence of these illegal entrepreneurs into socially constructive channels—and to reduce significantly the demand for their attractive and dangerous product.

*The Police Departments Under Siege conference was made possible through funding from the Ford Foundation.*

## **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200

Washington, DC 20037

(202) 833-1460

FAX: (202) 659-9149

email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE .

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation  
February 1990



## Full Court Press on Drugs

# Administration Officials Call for Local, Federal Collaboration

*Law enforcement professionals attending the Police Foundation's conference heard top administration officials call for a united, integrated, multi-faceted approach to the nation's drug epidemic and the wave of violence associated with it. Selected, edited excerpts of their views on how to wage the drug war are carried below.*



HUD Secretary Jack Kemp and Martin Marietta Executive Committee Chairman Tom Pownall.

## Jack Kemp—Secretary, Housing and Urban Development

**"**The Police Foundation is an organization which is playing a critical, decisive role in an effort to modify behavior. Ultimately, that is what President Bush's national drug control strategy is all about—a massive behavioral modification program. I believe behavior can be modified—if you reward right behavior and punish deviant behavior."

**"**We live in a relative world. But there are certain things that are not relative. Truth is not relative. Right and wrong are not relative. Eternal

values are not relative. The inalienable rights of men and women to their own lives and property, and their own freedom and dignity are not relative. We want to be free, open, and generous to the right values, the right attitudes, the right behavior. We do not want to be free, open, and generous to deviant behavior. We do not want to be free, open, and generous to the cult of drugs. We do not want to be free, open, and generous to those who abuse the law . . ."

**"**We can sure make a better effort,

particularly in those communities and neighborhoods whose residents have been left out or been left behind, who may consider themselves the least or the last or the lost."

**"**I think the President has come up with a coordinated, effective, massive effort that will dramatically alter behavior if we can play a role in helping you [the police] alter the circumstances and the attitudes in communities and neighborhoods where some people feel the only choice they have is to engage in illicit capitalism."

**"**Most people in public housing are decent, honorable, and law abiding. We have to get away from the myth that all public housing residents are doing and dealing. In San Francisco, for instance, we've found that 80 percent of all the arrests in public housing are folks who are trespassing on public housing property."

**"**I would like the police, retired or otherwise, to have free housing in public housing, so they can live there and have a presence there 24 hours a day."

**"**We are revising our lease grievance procedure [at HUD] and improving coordination with public housing authorities around the country so that we can move drug dealers out of public housing. People say to me, 'Why would you kick them out of public housing and make them homeless?' Well there should be public housing for those folks—they should be in jail."

**"What will we do about a mother or grandmother who is trying to raise a 6'4," 240 lb. high school linebacker who is doing drugs and is out of control? It depends. We are not trying to evict families who have a son or daughter out of control. But where a family is involved in drugs the way the Rayful Edmond family was involved, where the family is accommodating or participating in illegal activity, that's a different matter."**

**"Don't you think something is strange if somebody is wearing gold chains, Rolex watches, and comes home in a BMW, and has no job? You don't have to be a rocket scientist to know that there is an accommodating environment."**

**"It will take the wisdom of Solomon, but where courts and states are providing due process, I am going to take HUD out of it by waiving our lease and grievance procedure. . . And we are going to reclaim the vacant unit. I don't want to build new public housing until I have rehabilitated the existing units. This administration is willing to spend the money to do so. And we're willing to spend the money to tighten security in public housing, making it safer for residents, and tougher for dealers and other criminals."**

**"Chapter two of the civil rights revolution is right here in the ghetto and the barrio. We have to give people an opportunity to own their own homes, to have a job, their dignity, and a drug-free environment."**

**"We have to give folks in public housing a chance to own and manage, to empower them. We have started a new resident management organization to try to involve tenants, get them organized, patrolling their neighborhoods. It is thrilling. We just raised two and a half million dollars in Chicago for such a program."**

**"I spell hope, 'home ownership.' You give people a stake in the community, a stake in the neighborhood, a stake in public housing, a stake in their own lives, and power to the residents . . . you are going to build a far more responsible, effective, capable, consistent family unit."**

**"This issue has so many people**

## **William Sessions— Director, Federal Bureau of Investigation**

**"You are looking at an FBI director who is determined to establish the strongest possible ties with local law enforcement and to make the Bureau present in your cities and its work with you meaningful and as supportive as we can possibly make it."**

**"Our role is to attack major drug trafficking organizations using long-term investigations and techniques we know best. We define the organization, develop evidence that proves the organization exists, and then produce evidence that will obliterate that organization insofar as we can identify its assets, seize them, and put the organization out of business."**

**"We pursue it not with arrogance, not with the certainty that we can do it alone. Quite the contrary, we pursue it with the certainty that we must share our techniques, we must share our intelligence, we must share our knowledge with and receive continuous support in return from the local police."**

**"We are strongly committed to the organized crime and drug enforcement task forces. Throughout its six-year history, the task force program has produced commendable results—over 5,000 indictments, naming nearly 17,000 defendants, have been returned. Over 40 percent of those investigations have been done in cooperation with law enforcement officers from state and local depart-**

**willing to come together, put aside their differences — color, race, religion, political philosophy — and do something constructive. Business men, business women, people in the private sector, the public sector, the non-profit sector all want to contribute to solutions to these vexing social pathologies."**

**ments. In Cedar Rapids, Iowa, for example, a drug task force composed of personnel from the FBI, the Iowa Division of Narcotics, the Cedar Rapids Police Department, and the Linn County Sheriff's office collaborated to shut down a large drug ring. Ultimately, 65 people were arrested and over 90 indicted. That's a major investigation in anybody's terms."**

**"Fully 20 percent of the Bureau's investigative resources are dedicated to fighting major regional drug trafficking problems in specific areas of the country. It is important to me**



FBI Director William Sessions

that you understand that the FBI stands ready and willing where resources allow to combine its efforts with yours to effectively destroy these drug trafficking organizations."

**"We** use a variety of experiments and interventions to make it tougher to deal drugs. If they are dealing within buildings, you put their lease at risk and you do other things that may not require a lot of labor. If you can identify those places and make the dealer move from place to place, it is very tough for the customers to follow. It's like television ratings. If you change the air time of a television show three or four times, you risk losing viewers. Your ratings drop."

**"You** make the dealers worry — through buy busts — whether they are selling anything to the police, and you make the customers sweat it out because they have to locate and move to areas they might not know. And if you can create zones of safety by moving dealers around, you might force the dealer into somebody else's turf, beginning a conflict and precluding a free business environment."

**"The** problem of illegal drugs will not be solved alone by the FBI or by the DEA or by the police department of any town in America. It is my belief that the problem will be solved by the joint efforts among local, state, and federal law enforcement agencies with the determined help, and I underline the word determined, of parents and teachers, doctors and lawyers, bankers, businessmen, and factory workers, service men and women all across America who stand in united opposition to the scourge of drugs in this country."

**"I** believe we will in fact restore America to a drug free state and am very proud to stand with you and serve with you as law enforcement officers of this great country."

## John Lawn— Administrator, Drug Enforcement Administration



U.S. Drug Enforcement Administrator John Lawn discusses the relationship between drugs, weapons, gangs, and homicide rates with Police Foundation President Hubert Williams.

**"A** survey I came upon recently indicated that when many of us were in school in the 1940's the seven top discipline problems in our schools were talking in class, ranked number one, followed by gum chewing, making noise, running in the halls, getting out of turn in line, wearing improper clothing, and not putting paper in the waste basket. To get an idea of how society has changed in a relatively short period of time, consider the most serious discipline problems mentioned in the 1980's, ranked as follows: drug abuse, alcohol abuse, pregnancy, suicide, rape, robbery, and assault."

**"What** we are seeing, all of us, is a diminishing respect for the law and a diminishing respect for law enforcement personnel. In our great country, a law enforcement officer is killed every 100 hours; we lose an officer a

week in the line of duty. In the Drug Enforcement Administration, assaults against our special agents increased 40 percent from 1987 to 1988."

**"In** the general population we see a violent crime committed every 20 seconds, a murder every 26 minutes. We see increases in gang activity and increases in weapons on the street. Homicide is the 10th leading cause of death in the U.S. In Washington, D.C., homicide is the leading cause of death among black males."

**"Why** are we living in such a violent environment? I have heard people talk about economic reasons, failed social experiments, public housing problems, low SAT scores, illiteracy, one in five of our citizens being illiterate, a sense of regression in civil rights issues. I have also heard that we've had a breakdown in moral

values and family structure. I think that is a problem, but certainly not *the* problem. I see a much more basic, root cause—illicit drug use, particularly the use of crack.”

“Crack played a part in 40 percent of the 1,800 murders last year in New York City. Crack played a major role in many of the 2.3 million child abuse cases in 1988. Two-thirds of child abuse cases in New York City and one-half of those in Philadelphia are said to be crack-related. A family judge in New York says crack is producing an epidemic of children being beaten, raped, and murdered in their own homes.”

“We have been fooling ourselves for a great many years, believing in the myth that we are a peaceful society. Remember, our forerunners were fighters who came from other countries and who fought for their rights in

---

**Why are we living in such a violent environment? . . . I have heard that we've had a breakdown in moral values and family structure. I think that is a problem, but certainly not the problem. I see a much more basic, root cause—illicit drug use, particularly. . .crack.**

---

this country; they were not passive people. They were aggressive. That aggressiveness is still apparent today. We have had four U.S. presidents killed with a gun, four out of 41, almost ten percent. We have had four

**Reggie Walton**—Associate Director for State and Local Affairs, Office of National Drug Control Policy

“We feel that the federal system should start to carry a greater load in reference to prosecuting drug offenses, and if we do that, then obviously we're going to have to have jail space to house those who will be convicted. We are therefore recommending funding for more judges and more prosecutors. . . . People will say that the emphasis on law enforcement is too great. But we believe it is appropriate to proceed on the law enforcement front at this point, with the hope that we will be able to put more effort into other areas in the future. We're not neglecting those areas because we know that the way to win this war ultimately is through prevention and education.”

“It is always open to debate how much money we should put into the drug war. But you all know that you're not talking about money when you talk about a pregnant woman who takes her food stamps and gives them to drug pushers so she can get a hit of crack. You're talking about values. . . . While resources are important, we've got to try to do something about the value systems in many of our communities. As long as we have young girls who think that it is all right at the age of 11 or 12 to get pregnant and try to raise a child, we're going to have problems. As long as we have situations in many of our inner-city communities where a man feels it's all right to make a baby over here, another baby over here, and another one over there, and doesn't have to take care of any of them, we're going to have problems. We have to start

other presidents either shot or shot at. So we could safely say that 20 percent of the U.S. presidents have been shot at. And yet we persist in feeling we are a nonviolent society.”

talking about personal responsibility.”

“We've been questioned about the appropriateness of going after the drug user. We fully appreciate that the criminal justice system does not have the resources to prosecute everybody who uses drugs. We're not naive enough to think that capability exists. But we do think it's important that when users come into the system, their conduct is treated seriously. And I can tell you from experience that there are judges who don't consider illegal drug use to be serious. There are even judges who don't consider drug dealing to be serious.



Judge Reggie Walton

Those judges should go into drug-infested neighborhoods and see people being held captive in their own home before they reach the value decision that drug dealing and drug using are not serious offenses.”

“It is unfortunate that many of the hearings I have attended on this issue have been so confrontational—because whether you’re a Democrat, a Republican, whether you’re white or black, whether you’re Jew or Gentile, it makes no difference. We’re all Americans. And if we don’t do something about this problem soon, it has the potential of destroying America as we know it.”

“Decriminalization of drug use would be devastating for society. PCP, coke, crank, LSD, heroin, all the harder drugs, have significantly different pharmacological makeups than alcohol. A small amount of PCP can make people become raving lunatics and take the life of another person. Crack has made many of our citizens dysfunctional in a very short period of time. Women using these drugs know that it will have a significant impact on the fetus; they do it anyway. Some just walk away from their babies. Yes, alcohol is a drug, and it has destroyed many lives. Right now, it’s probably the number one substance abused in

---

**We are, of course, concerned about the military being involved in domestic policing. . . . But on our borders and internationally they have a role to play.**

---

American society. But I don’t think its wise to exacerbate an already bad situation by legalizing other drugs.”

“Every agency in the federal government has a role to play, including the military. We are, of course, concerned about the military being involved in domestic policing. We’ve

## James Stewart—Director, National Institute of Justice

“Our drug use forecasting program, or what we call DUF, gives us something we’ve never had before, an objective measure of recent drug use by those who endanger public safety through crime. The program uses voluntary, scientific urinalysis to detect drug use among arrested persons, rather than relying on dubious self reports like we have been.”

“The DUF tests also give us for the first time a baseline for measuring the results of drug interventions. So now, if we seize two tons of cocaine, and the cocaine level of arrestees stays the same over the next few months, we know we haven’t made much of an impact on drug use. Instead of patting ourselves on the back for confiscating two tons of cocaine, we may have to go out and seize 20 tons. Then, if urine positive results drop 30 to 60 percent over the next few months, we know we’re making some progress.”

“This kind of program provides intelligence. And intelligence is as crucial to you, the generals and commanders of the war on drugs, as it was to generals and commanders in the great battles our nation has fought. DUF provides information about trends in drug use, but also allows us to forecast police and community needs. Law enforcement can take the lead and advise your health officials, education officials, board of supervisors or city council. We can predict changes in such phenomena as the level of crime, drug

seen the military in other countries overthrow civilian authorities in just those circumstances. But we do feel that on our borders and internationally they have a role to play. And I believe, and I think the military tends to agree, that the armed forces can play a greater role in the anti-drug effort than they’ve played in the past.”

overdose deaths, emergency room admissions, and child abuse as much as one year in advance.”

“We’ve always believed that men tend to be the hard core group of drug users, but DUF has highlighted the spread of drug addiction among women, particularly to crack cocaine. During the last quarter of 1988, 65 percent of the women arrested in Washington, D.C., showed signs of cocaine use. This compares with just 62 percent of the men arrested. In New York, 73 percent of arrested women showed evidence of cocaine use, compared to 67 percent of the men. The impact on city hospitals has been significant, where limited resources are being strained by a growing number of crack-addicted babies who have often been abandoned by their mothers and require special care.”

“All our findings reinforce the need for a national commitment to require those who are on bail, or on probation, or on parole, to remain drug free. We are not only talking about the criminal consequences, but the public health consequences. One-fourth of those tested in 13 cities say they inject drugs. In Portland, Oregon, almost half the women, and more than a third of the men, say they have injected at least once, making them high-risk candidates for contracting and spreading hepatitis and HIV infection.”

“We should say to them, ‘If you

want to go on parole, if you want to be on probation, you're asking for the public's trust. If you want to be out on bail in my city, you're asking for our trust. Don't use drugs. And we'll come in and test you.' We can charge them \$12 a test. If they test positive, make them take four tests a week. Then they have to pay \$48, which serves as a fine as well. That way, the tax payer doesn't have to pick up the tab. If those on parole or probation are asking for the public's trust, it is in

turn their moral obligation to be drug free, and your job as law enforcers to make sure they stay that way."

"The weakest point of the whole drug trafficking system is the point of purchase—where drugs are exchanged for the dollar. Seventy-five percent of the drugs being consumed in America are by casual users. If we can stop that exchange, stop a guy from making 60 deals an hour, reduce it to just two, for instance, his profit will begin to fall

apart. Without the heavy retail business, you can't finance those ships and those plants in Colombia, Thailand, and Pakistan. It is right here in our city streets, our school yards, and professional sporting events where we better attack this problem."

"One idea we've had is to develop a drug marketing analysis (DMA). The program will be an automated system to track the location of drug markets in a given metropolitan area. Mapping and computer printouts will be provided to the police to enable them to locate drug hot spots more easily. The police can then initiate a variety of strategies to move these markets around, keep dealers on the run, and thus cut down the total number of deals. Part of the value of this program will be to get the information more quickly to those responsible for planning. The individual officer may already have information for a specific beat, but how long does it take for the chief to get that information aggregated so that it can be used effectively? It's been too long and we need to shorten it."

---

**The weakest point of the whole drug trafficking system is the point of purchase—where drugs are exchanged for the dollar. Seventy-five percent of the drugs being consumed in America are by casual users.**

---



James Stewart, Director of the National Institute of Justice

*The Police Departments Under  
Siege conference was made possible  
through funding from the Ford  
Foundation*

**Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20037  
(202) 833-1460  
FAX: (202) 659-9149  
email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE .

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

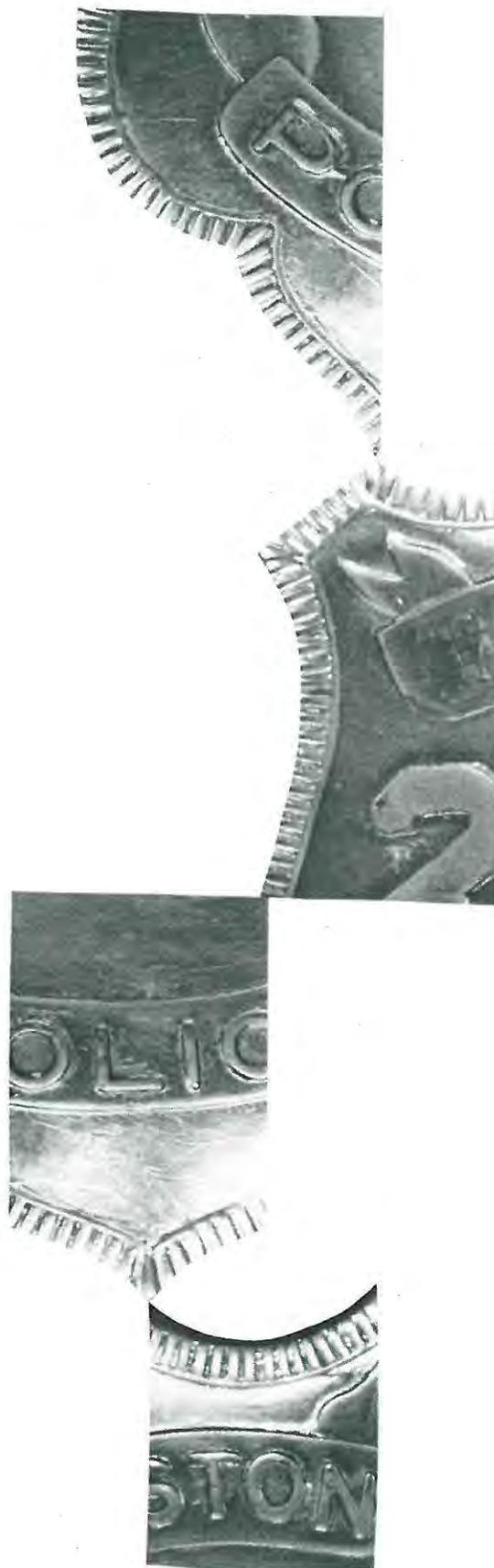
How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation

March 1990



## Strategies versus Tactics

# Police Officials Identify Strategies For Drug Traffic Control Programs



Police Foundation President Hubert Williams welcomes police colleagues from around the nation to the foundation's conference on drugs and violence—Police Departments Under Siege.

---

By Dr. James Ginger  
Deputy Director  
Police Foundation

---

Despite the massive amount of attention that has been focused on the illicit drug trade in the last several years, it has become apparent to most of us that the war on drugs is far from over. The rapidly rising numbers of arrests and subsequent incarcerations notwithstanding, the crime and violence in most of the nation is reaching record proportions.

Law enforcement officers, the group most directly charged with controlling drug trafficking in this country, have been frustrated by the pervasiveness of the problem, the ruthlessness of drug traffickers, and the scarcity of resources. Nonetheless, they have met with success in some

areas and have informed opinions about what is and what is not working in this war.

The Police Foundation attempted to draw a consensus opinion on strategies for the future by conducting a series of structured workshops during the foundation's Police Departments Under Siege conference. Police officials shared their concerns about their communities and the well-being of the people who live in those communities. They spoke of the waste of life and potential. They spoke of their approaches to prevention, treatment, and enforcement. And they spoke about the desperate need for new ways of looking at crime control.

While it may not be possible here to impart the sense of deep commit-

ment demonstrated by those who participated in this group process, I will try to accurately set forth how the process worked and the results of that process as clearly as I can.

### **Problem Identification—**

Conference participants were first asked to identify the critical problems created by drug use and abuse in our society. Consensus was reached relatively quickly, illustrating the universal nature of those problems and their impact on the community and societal institutions. Over and above simple problem identification, the responses usually contained useful insights into the relationships between the police, the community, and the criminal element. The responses—synthesized for clarity—follow:

- Many of the groups engaged in illegal drug sales are quite sophisticated. Attempts to deal with them must take into account their values, their contributions to the poverty stricken neighborhoods in which they do business, and the perceptions that local residents have of their worth to the neighborhood infrastructure.

- Drug dealers are a “new breed” of organized criminal, using violence, intimidation, and in many instances, sound business practices—including neighborhood public relations campaigns—to pursue entrepreneurial goals.

- Any meaningful approach to the drug problem will require two different kinds of responses on the part of the police, the community,

social service agencies, the media, and other societal institutions. The short-term response, tactical in nature, must deal with the immediate community concerns of street drug dealing, gang violence, and associated disruptions of neighborhood life. The long-term response, more strategic in nature, must address demand reduction, addiction treatment, and community attitudes toward drug dealers.

- **The current push to do something, anything, about drugs** requires the police to hold even more steadfastly to constitutional protections and good police procedures. To do otherwise simply invites the police to take a “my gang is bigger and tougher than your gang” approach, which may be counterproductive in the long term, questions of civil rights violations notwithstanding.

- **Drug use and the process of acquisition, processing, and sale** substantially reduce the quality of life in our neighborhoods. They increase fear, reduce the quality of education available to our youth, erode our social fabric, and reduce the confidence of the public in government’s ability to deliver basic services to citizens.

- **Within local communities,**

---

**The long-term response, more strategic in nature, must address demand reduction, addiction treatment, and community attitudes toward drug dealers.**

---

there exists a vacuum of responsibility. The problems generated by drugs directly affect a broad range of local social institutions and services: police, schools, social service and welfare agencies, recreational services, health care services, and religious institutions. A central point of responsibility for coordination of services is rare. On the federal level, a “drug czar” was seen as an appropriate response. On the local level, someone must assume the role of meshing the expertise and service provision of various agencies and institutions in an integrated, comprehensive, efficient manner.

**Effectiveness of the Current Response**—Participants were next asked to gauge the effectiveness of law enforcement’s current response. Again, consensus was readily reached, although the assessment was less than sanguine. The fear and anger generated by the drug trade has led to calls for more arrests and harsher penalties on those involved in the drug trade. But the enforcement-oriented response has—according to the police managers themselves—resulted in some serious problems:

- **As more and more resources** are funnelled into drug enforcement activities, fewer are available for other police services. Public confidence is lowered as the police become less able to deal with non-drug related problems and yet are still unable to adequately address the drug problem itself. Moreover, there is a ripple effect in the community, more calls for service, and greater numbers of ancillary crimes such as burglary and robbery.

- **The traditional response, the arrest-conviction-punishment response, simply is not workable.** Virtually all elements of the criminal justice system would be overloaded by an effective conventional response. Police do not have the labor force

needed to arrest all known dealers. Most jurisdictions have a backlog of known crack dealers and known crack houses, but cannot make arrests and raids fast enough to clear out the backlog. Current drug testing laboratories would be overwhelmed by an effective enforcement response. System overload in most states is already jeopardizing the ability to comply with speedy trial statutes. Local jails are generally filled to or over capacity. So are local courts. State and federal prisons are over capacity, and few states can make the fiscal commitment to build the additional prison cells they know they need under current levels of enforcement.

- **Enforcement technologies, especially those required to respond to sophisticated, insidious drug activity,** run the risk of alienating the very communities where police need support most. Those neighborhoods most singled out for public and police attention tend to be located in inner-city areas. As the police focus enforcement efforts there, they become open to charges of racism, abuse of power, and class discrimination. The result may likely be a reduced confidence in the police, civil disobedience, or even civil unrest if communities see themselves as societal scapegoats for the drug problem.

- **The necessary financial resources for an arrest-conviction-punishment response are not likely to be forthcoming,** given the intense pressure for funding of treatment, education, and alternative response systems. Participants saw the enforcement option as a short-term tactic, a stopgap measure, and saw the real need as resting elsewhere. If drug users who need treatment cannot obtain that treatment, if neighborhoods who want to organize against drug dealers cannot receive the support they need, if schools cannot



Chiefs discuss drug control strategies during conference break (l. to r.): Cobie Howard, Jr., Gary, Indiana; Ray Johnson, Inglewood, California; and Clifford Willis, New Britain, Connecticut.

deliver an adequate anti-drug message, if social service agencies cannot coordinate their anti-drug activities, then enforcement becomes isolated and thus not a very effective weapon in the so-called drug war.

**A** Review of Available Resources—Not surprisingly, the chiefs agreed that available resources were not sufficient to mount an adequate response to drug-related crime in their communities. Interestingly, however, their call for additional resources was not restricted to police resources. They agreed that any effective attack on the drug problem in the U.S. must be an assertive, integrated one involving the full spectrum of social and institutional services of the nation's communities and neighborhoods. Citizens, the chiefs suggested, currently are demanding better policing, and in many cases are demanding instant results. A successful strategy requires a holistic approach, one which emphasizes prevention as well

as arrest and prosecution. Among the prerequisites of such a strategy, the chiefs said, are the following:

- **T**he community must be educated about the nature of the problem, the resources available to combat it, and the organizational barriers the police must overcome in order to be effective. The strategy must be long term; short term tactics will only treat the symptoms, not cure the disease.

- **S**upport from the political sector is essential. Mobilization of communities in support of programs and funding is also essential. The police must become politically savvy and take an active role in developing legislation, policy, and funding priorities of local and state government.

- **A**n effective response requires new types of police training in financial investigations, community mobilization, media relations,

interorganizational cooperation, and other non-traditional fields of expertise.

- **A** wholly integrated approach to the drug problem requires a full range of community involvement: police, businesses, volunteers, health services, education, social services, the entertainment industry, media, and community activists. Innovation and an entrepreneurial spirit are musts.

**The Proposed Response**—The chiefs were asked to develop an action plan for their communities. While the chiefs experienced more difficulty reaching consensus in this stage than in the problem identification stage, they did eventually hammer out agreement on several responses to the drug problem.

**I**mmediate priorities should be prevention, enforcement, and treatment, in that order. A shift to a prevention strategy will require a change in the public's expectations and in the role the police see for themselves. While some direct enforcement action will always be necessary, the police role must become more collaborative and less controlling.

**A**ny workable solution to the drug problem must be community based. Given the role of the police, it is difficult to imagine that they are best suited to determine community priorities, identify existing community resources, or design community-wide strategies for dealing with community-specific drug problems. Planning for drug control programs should include participation of those affected by the problem, as well as those who have direct or indirect resources to commit to the drug control effort.

**F**or example, the City of Atlanta collaborated with the Police Foundation on a project designed to identify

---

**An effective response to the drug problem may also require some change in organizational structure, and . . . change in the way we tend to think about public-sector agencies.**

---

policing needs for the city in the year 2000. Using a strategic planning method refined by the Police Foundation, project officials put together a planning group whose members came from all walks of life in Atlanta—public, private, and voluntary sectors, businesses, schools, local government, and political and grass-roots organizations. The city eventually forged an action plan to prepare the community, not just the police department, to meet the needs identified by the planning group. The Police Foundation has conducted similar projects in Arvada, Colorado, and Charlotte, North Carolina.

Regardless of the details, the response to the drug problem in America must become more strategically oriented and rely less on isolated enforcement tactics. The strategy should include elements of prevention, enforcement, and treatment; it should, however, be based on sound community involvement, involvement of the municipal level of government, and of course, involvement of police agencies assigned responsibility for enforcement.

Education must be a key element

of society's response to drug abuse. The educational process must have three separate thrusts: (1) educating the public about all aspects, practical and philosophic, of drug abuse prevention, enforcement, and treatment; (2) educating police personnel about their new roles as collaborators, facilitators, advisors, and problem-solvers; and (3) educating associated agencies and organizations—social service agencies, schools, business groups, volunteer agencies, and governmental agencies—about their new role in responding to the drug problem in their communities.

An effective response to the drug problem may also require some change in organizational structure, and, quite possibly, may require some change in the way we tend to think about public-sector agencies. Traditionally, police organizations have been structured for effective control—control of the police officer through supervision, uniform policy and procedure, and control of crime through application of maximum enforcement effort. Drug control efforts will require a more decentralized approach.

Police organizations must be able to respond differentially to different drug-related problems in different neighborhoods; and the police must assume more than the traditional role of enforcement. They must become catalysts for change, spurring local government to deliver appropriate services where and when they are needed, and encouraging neighborhood groups to become involved in the drug control effort. Police will need to enhance their labor resources, not by hiring more officers, but by helping neighborhoods organize effective grass-roots anti-drug campaigns. The police must learn to collaborate and facilitate—identifying community needs, using knowledge of available private and public-sector resources, and coordinating the

placement of those resources.

**Policy Implications**—Implementation of the solutions offered above will have substantial effects on existing policies, and may require development of new local, regional, and national policies regarding drug use and abuse in America. Brief discussions of the major policy implications follow.

**Research, Evaluation, and Dissemination**—One resonant chord struck by participants was that we simply do not know which drug control strategies, if any, actually work. Very little evaluative research has been done and little policy guidance is available in the literature. Sadly, while the National Drug Control Strategy outlines a specific research agenda, little additional funding is available to support it. Until adequate policy guidance is available to police executives, our enforcement programs will suffer. Simply determining “what works,” however, will not be sufficient. We

---

**One resonant chord struck by participants was that we simply do not know which drug control strategies, if any, actually work. Very little evaluative research has been done and little policy guidance is available in the literature.**

---



Police Foundation Deputy Director Jim Ginger explains workshop structure to chiefs as Police Foundation Board Chairman James Q. Wilson, a conference keynote speaker, listens.

must supplement this evaluative research effort with a program of dissemination and training that will systematically inform police executives, managers, and other government officials of findings and implications.

**Training**—The new drug war will require new police skills. Development of these skills will require specific, task-related training in such areas as community organizing, problem identification, coordination of multi-disciplinary responses, inter-organizational cooperation and coordination, and program evaluation. Effective training is a precursor to implementation of effective drug control programs.

**Technical Assistance and Program Development**—Once we determine through adequate evaluative research which programs or projects are effective in controlling

drugs, the tasks of program development and technology transfer remain. Moving from the demonstration phase to full implementation will require, for many organizations, outside assistance in the form of consulting services, program management support, program monitoring, and program evaluation.

**Resources**—As with all serious undertakings, forging an adequate response to the drug problem in the United States will require additional resources: manpower, equipment, and expertise. Some of the needed resources will come from the federal government's drug control initiatives. Still other resources must come from state and local government, the private sector, and the volunteer sector.

**Summary**—Identification and coordination of these resources are necessary if the drug control response is to be an integrated strategy rather

---

**Drug control programs should focus on a variety of response strategies—economic, educational, enforcement, prevention, treatment, demand reduction, and punishment . . . if we are to make headway in the war on drugs.**

---

than a disaggregated set of tactics. The Police Foundation recommends the development of integrated community drug control strategies as an effective approach to the drug problem in the United States.

**D**rug control programs should focus on a variety of response strategies—economic, educational, enforcement, prevention, treatment, demand reduction, and punishment. Rather than selecting a single strategy, our communities must integrate all of these strategies if we are to make headway in our “war” on drugs.

*The Police Departments Under Siege conference was made possible through funding from The Ford Foundation*

## **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20037  
(202) 833-1460  
FAX: (202) 659-9149  
email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE .

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation

April 1990



## A Look at America's Drug Policy

# Politics, Passion Confuse Issue; Local Initiatives Offer Some Hope



David J. Bellis

*Dr. David J. Bellis is an associate professor in the Department of Public Administration, California State University, San Bernardino. He has developed and managed drug treatment programs for the last 20 years in Southern California. He spoke at the Police Foundation's 1989 conference on "Drugs and Violence: Police Departments Under Siege—A Search for Solutions." The following is an edited version of his presentation.*

I started out as a professional musician in Hollywood, playing saxophone in back-up bands. This led to a lot of money, and by age 18 I'd used every drug in the book. I was a heroin addict for eight years until I finally kicked the habit in 1970. Then, like a lot of dope fiends who clean up, I got religion and went to work in the addiction treatment business.

Over the last 20 years, I've dealt personally with about 10,000 heroin addicts. I've developed, managed, and evaluated 35 different narcotic addict treatment programs, delinquency prevention projects, and gang violence prevention programs—all in the Southern California area. I also went into politics. I was a two-term city councilman and mayor of the city of Signal Hill, California, a corrupt, wild and woolly oil boomtown bordering Long Beach. In cleaning up this city's politics, I dealt with drug and alcohol problems among my constituents, prostitution in the city, and a host of other law enforcement problems.

I now teach at Cal State, San Bernardino, and through a federal grant operate a free methadone maintenance program in San Bernardino for 105 heroin-addicted female street prostitutes. I personally

recruited these women, 50 percent of whom are now doing quite well—they're not using illegal drugs, they're not hooking, and they're working legitimate jobs.

My experience as an addict, elected public official, educator, and drug treatment professional has provided me with some insights about drug control policy which I would like to share with you. First, I'll touch upon America's drug control policy in general; second, some theories of the root causes of drug use and abuse in society; and third, treatment, rehabilitation, and prevention programs.

**DRUG POLICY CONTROLS**—It's my impression that never before in American society have so many people of all social classes used so many legal and illegal drugs. I don't believe that the police can possibly arrest, or prosecutors can possibly prosecute, more than a fraction of the enormous number of illegal drug users and sellers unless scarce budget resources—at the federal, state, and local levels—are diverted from fighting other forms of crime in society. Or, unless money is re-allocated from other competing public programs. And the latter is not easy.

There are some heavy-weight public demands for government funding:

- better health, welfare, and education programs (55 percent of California's \$50 billion budget goes to education);
- more public works programs (our nation has a three trillion dollar

outstanding public works bill);

- big-ticket defense programs (one B-2 bomber costs \$500 million...almost twice the entire new federal commitment [September 1989] for drug control funds for states and localities.).

**D**r. William Bennett has said that in order to fund the proposed \$7.9 billion drug program, we face across-the-board cuts in all other federal programs. But that means cutting other programs for which there is great community demand. The bottom line is that we can expect the political wrangling to continue.

**I**n the meantime, drug abuse is costing American society \$150 billion a year, according to some estimates, and alcohol another \$140 billion. But other crimes carry heavy financial penalties for society. Where should our focus be? What about the \$300 billion savings and loan scandal whose bail out will cost each and every American taxpayer \$3,000? What about Watergate, the Iran-Contra affair, Representatives Jim Wright and Tony Coelho resigning from Congress, and multi-million dollar scandals in Housing and Urban Development (HUD)?

**W**e hear about Wall Street insider trading, corruption in the trading pits of the Chicago Mercantile Exchange, and defense contractors defrauding tax payers out of billions of dollars. The environmental costs of the Exxon Valdez oil spill comes to mind. Will Exxon officials go to jail for not double-hulling their tankers? I doubt it.

**T**hese crimes are costing American society dearly. And yet, we can have as much or as little crime as we want depending on how we define "criminal." In America, we've chosen to apply the criminal sanctions more to individual transgressions than white collar corporate misdeeds, for

example. It's a difference in the public's perception of crime on the streets versus crime in the suites.

**R**ecent polls show that 50 percent of all Americans say that drug dealing should be law enforcement's number one priority. Thirty-two percent say muggings and rapes; 11 percent mention racketeering; only three percent say white collar crime should be the number one priority. So the priorities of the people appear to be clear. But are all of these Americans as anti-drug as they claim? We're awash in alcohol, nicotine, and prescription medication. Legal drugs are responsible for more drug-related deaths and emergencies than all illegal drugs combined. Tobacco companies knowingly manufacture, advertise, and sell a highly addictive drug that kills over 365,000 Americans annually—1,000 people a day. Show me 365,000 deaths a year from crack or heroin. So again, public perceptions—misguided or not, inconsistent or not—play a key role in determining our policy agendas.

**O**ur drug control policy model is based on an economic theory of supply and demand. Seventy-three percent of the new Bush-Bennett strategy is devoted to supply reduction. If we cut off supply, it is reasoned, we will reduce demand. The trouble is that this strategy is based on economic theory, not on knowledge about drug use; we're still in the dark about whether it is drug supply that creates demand, or demand that creates supply. If you base your assessment on dollars appropriated today, the supply siders prevail because demand reduction programs get far less money than supply reduction programs.

**F**rom 1980 to 1988, the federal government spent \$21 billion fighting drugs. Eighty percent was pumped into federal drug law enforcement programs spread over literally dozens

---

**Drug abuse is costing American society \$150 billion a year, according to some estimates, and alcohol another \$140 billion.**

---

of federal agencies, and devoted chiefly to such goals as breaking up domestic distribution rings and stopping drugs at the border. The remaining 20 percent of the \$21 billion went to treatment, rehabilitation, and prevention programs, which combined get less funding than the \$7.1 billion spent on border interdiction alone.

**I**n fact, since 1981, only three cents out of each dollar spent for federal drug control have trickled down to state and local government agencies on the frontline of this so-called war. We can attribute much of this imbalance to former President Reagan who, between 1981 and 1986, successfully pushed Congress to cut funding for drug treatment and prevention by 40 percent. Maybe this is because on the demand side there is scant evidence that treatment, rehabilitation, and prevention programs work.

**B**ut we should apply the same standards to the supply side as well. Flashy arrests requiring skill and courage deserve our admiration. But glitzy, bang-on-the-door, seize-the-ton-of-coke stuff people like to see on television hasn't dammed the dope flow either. And the tangled politics and economics of drugs in producer nations makes the success of off-shore drug control programs a pipe dream. How can we control drug production

in foreign countries if we can't even control the clandestine labs here in our own country?

**W**hat we seem to be missing domestically is a truly integrated approach to the drug problem. Although we now have a federal drug czar, I don't know of too many local drug czars coordinating state, county, city, and private sector drug control programs. State and local officials usually don't have cross-department, let alone cross-jurisdictional power and authority to review all drug and alcohol programs, including law enforcement programs. It is my view that we need interjurisdictional cooperation desperately...it's time for everybody to get together.

**I**'m sorry to say this, but as I follow the media and observe hysteria over drugs, it seems like cocaine and heroin might be the politician's best friend. What I mean is that the political spoils from exploiting public fear about drugs are seductive. It goes something like this: politicians aren't anything unless they're in office; parents are worried about their kids taking dope; parents, at least middle-to-upper class ones, tend to vote; and so there are few better ways to get elected or stay in office than to rant and rave about drugs.

**E**very president in my memory has waged a drug war. It is kind of a moral equivalent to real war itself, but the bodies are not those of American soldiers being shipped home. The dead are a disproportionate number of ghetto youth whom the white majority couldn't care less about. The noise emanating from the Bush White House is in tune with the failed siren songs of the past—from Nixon to Ford to Carter to Reagan. Activities aimed at chasing, catching, prosecuting, imprisoning, treating, rehabilitating, and preventing users and sellers have spawned a veritable drug-abuse industrial complex in this country...

where drug fighting organizations are as hooked on taxpayer's anti-drug money as their clients are on the drugs themselves.

**DRUG ABUSE THEORIES**—There are a number of drug abuse theories that operate today and condition our drug control strategies. One basic question that must be asked is: Why do people take dope in the first place? The theories that attempt to provide an answer create a kind of scientific Tower of Babel, but I think we may find a grain of truth in each one.

- **Nature vs. Nurture**—The use of intoxicants is a common thread that has run through the fabric of humanity for thousands and thousands of years. Not surprisingly, nature vs. nurture arguments about the root causes of drug misuse are common. Some people say drug use is learned

behavior. If it were biologically driven, then why don't we see much alcohol and drug use among the Amish and Mormon communities? It would seem that environmental factors like upbringing—nurture not nature—explain drug use.

- **Other scientists** argue, and persuasively so, that humans are naturally drug-taking animals, with an innate, biologically driven desire to alter their normal state of consciousness. After all, the brain has its own pain-suppressing opiates—endorphins and enkephalins—which are emitted when someone is traumatically injured. The need to alter our perceptions of reality may be a fourth drive, along with sex, hunger, and thirst. If this is the case, woe to those who believe legislation and money can stamp out the problem.



Deputy Chief Ed Spurlock, Metropolitan Washington Police Department (left) discusses drug conference proceedings with Police Foundation President Hubert Williams.

• **Character Defects**—Character defect theories attribute drug abuse—as well as poverty and other crime—to personality weakness; some people simply can't cope with life on its own terms, they're "snivelers" who self-medicate to cope. These theorists also claim that some drug users are mentally deficient, whether from prenatal and childhood effects of drugs and poor nutrition, or simply low intelligence.

• **Liberal Sociological Theory**—The sociological theory, which is the prevailing one today, attributes addiction and street crime to abject poverty and its manifestations. Welfare dependence, joblessness, single parent families, school dropouts, illiteracy, poor health care, teenage pregnancy, run-down housing, political powerlessness, and hopelessness all lead to crime and drug use. The poor who use and sell drugs are victims, and absolved of individual responsibility—they live in a kind of moral fog, never having learned right from wrong.

• **Capitalism**—The Marxist variant of the sociological theory says all these theories have some validity but the root cause of chemical dependence is capitalism. In a capitalistic economic system, inequality is created along with a large, dependent, chronically unemployed lower class susceptible to escapism in drugs. The government has to foster wealth and capital accumulation, and that means not overtaxing the rich. Otherwise you kill the goose that lays the golden egg.

**T**he ownership class has to create this wealth to reinvest for more production, more investments. It is said that tax states like ours are caught in chronic fiscal crises between the competing demands of fostering wealth accumulation and achieving political legitimacy in the eyes of the masses by providing a decent standard of health

care, housing, welfare, and other critical services, especially to the poor.

**N**ice theory. There's just one problem...the poor don't have a monopoly on dope taking, on broken homes, on escapism, on failure to transmit decent values. The middle and upper classes are in just as much trouble. Liberal-to-left poverty theories don't square with rich dopers in Beverly Hills, Newport Beach, and Newport, Rhode Island, who can afford to use more drugs than the underprivileged youth. I've found that kids who get in trouble with dope tend to have either too little in life or too much.

• **Differential Opportunity**—Another economic-oriented explanation of drug misuse is very closely related to the previous two. There is inequality in society, but everybody wants the good life...nice clothes, decent house, good car. There are two ways to get there. The legitimate way—through education and a good job, and the illegitimate route—through crime.

**S**o crime and drugs become instrumental to goal achievement ... enter crack capitalism among youth in disadvantaged urban neighborhoods. Most street pushers are poor kids without education, legitimate job skills, or legitimate jobs themselves. They're out to make some money, so that they can be somebody. Dealers are rational, calculating, self-interested actors pursuing the American Dream.

• **Social Labeling**—Some claim we victimize people by labeling them. Once the official system labels somebody as a doper, a criminal, or mentally ill, they tend to behave that way. What have they got to lose? It's a self-fulfilling prophecy.

**G**iven this array of drug demand theories, one wonders if we'll ever

solve the drug problem. We can't kid ourselves into thinking we can do it in a few years; a drug-free America is probably impossible, as is the destruction of drug production abroad. For now, we should be looking at long-term, institutionalized demand and supply reduction programs—from programs for crack babies to those for angry prison inmates who will get out one day. We need to ask ourselves, however, if spending lots more money on the same old programs will prove any more successful in the future than it has in the past.

**I** personally believe that our best hope lies in innovative programs being developed in communities all across America. Average citizens are ready to help, not because they're brave, but because they're scared and angry. The police have to respond to these citizen initiatives; police should unite with communities, and form partnerships that transcend traditional police-community roles. It means constant organizing by the police and community activists door-to-door, block-by-block, neighborhood-by-neighborhood.

**B**ill Bennett's recommendation, of course, is to deal swift and sure punishment to drug dealers and drug users. He's a "want to play, gotta pay" kind of guy. Dr. Bennett wants nothing less than to rehabilitate the notion of the individual responsibility—"user accountability" is the catch phrase. Where some see users and sellers as victims, Bennett sees only offenders.

**H**e also sees a revolving jail door as better than no jail door at all. But with a construction cost of \$75,000 per jail bed, we better be ready to bite the financial bullet. And we better decide on where we're going to locate all of these prisons. It's the "NIMBY" syndrome, "Not In My Back Yard." It's like the garbage; everyone wants it picked up, but nobody wants it put

down near them. Siting a jail or prison facility is just like trying to site a garbage dump.

**A**nd if it's zero tolerance for casual drug users, American taxpayers and politicians better be willing to shoulder up to \$100,000 a year to field each new police officer because we're going to need to hire many more of them. Yet the massive drug war involvement infringes upon other important police services. If you scale back on traditional service, that gets you in bad stead with the community. Your bread and butter is the service function—finding the elderly person who wanders away from the rest home, rescuing the cat up a tree, arbitrating the traffic collision, locating the lost child—that's how the police get the respect, the cooperation. And then they eventually get the information from friendly witnesses necessary to apprehend the bad guys.

**TREATMENT**—Access to treatment today is severely limited. Why? Because in the early 1980's the feds privatized treatment in America to save tax dollars. Treatment has been taken over by private contractors and proprietary hospitals, charging \$10,000 to \$30,000 for 30-day inpatient treatment. While these pricey centers proliferate, the road to recovery for thousands who can't afford five-figure care has gotten longer and longer. Street addicts must wait up to two years or more for the few remaining publicly funded treatment slots.

**A**ccess to quality chemical dependency treatment should be viewed as a key element in the nation's drug and alcohol abuse control strategy. Federal and state governments and private insurers should work together to ensure that every chemically dependent citizen has access to treatment on demand. If somebody can't afford it, it should be

free. Unfortunately, President Bush's new program would treat only 19 of every 100 addicts who need help.

**B**ecause I offered the lure of free treatment, I was able to go out and bring into methadone maintenance the 105 heroin-addicted street prostitutes I spoke of earlier. These women not only faced their heroin addiction but also HIV infection. They knew they could get infected from a seropositive customer or from sharing contaminated needles. Ninety percent of them know how HIV infection is contracted, but they couldn't stop themselves. Turning 10 to 20 tricks a day got them \$150 to \$300 to support their heroin addiction. So I said, "Hey, c'mon in! I've got free treatment for you for a year." I became the Pied Piper because many of them did want treatment.

**I**n the end, changing population demographics may do more for easing drug and violence problems than all our policy interventions. Crime and illegal drug abuse are primarily a young person's game. There are not many old junkies or old crack heads running around. As birth rates plummet and baby boomers age, there may be less illicit drug abuse and fewer crimes associated with it.

**U**ntil then, however, we're going to have some serious drug and alcohol problems. Only with intelligently thought out control strategies can we have some measurable impact.

**I**t is time to concede that we are a nation of attitude adjusters and will remain so for the foreseeable future. Chemical dependency will not be stamped out by legislative fiat and dollars alone. The supply of illegal drugs cannot be interrupted by the most massive law enforcement efforts. Treatment, rehabilitation, and prevention are not magic bullets. You can lead a horse to water, but you can't make him drink. We'll be lucky

enough to win a series of small victories over a long period of time.

**I**n the interim, police should not set themselves up for failure by promising politicians and the public that, given proper resources, they alone can crush drugs, crime, and violence in our communities. Crime-busting should not be the primary focus of the police. Instead, more achievable goals should color the thinking of police executives and their pronouncements. Especially important is playing up the police service function—helping people—an activity which is achievable and which gains the public confidence and cooperation necessary to make inroads on drug-related crime.

**I**n the end, technological society may go beyond drugs altogether into the brave new world of electronic stimulation of the brain, mimicking euphorogenic effects now produced by rude, crude chemicals. What will we do then? Outlaw electricity and bust wandering bands of electricity fiends for possession and use of Ray-O-Vac batteries used to crank themselves onto a different plane? Contemplation of mens' and womens' quest for altered states of consciousness and its relationship to public policy, the police, and society in general, will continue for a long time to come. And the answers won't come easily.

*The Police Departments Under Siege conference was made possible through funding from The Ford Foundation*

## **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20037  
(202) 833-1460  
FAX: (202) 659-9149  
email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)

## Drugs and Violence

# Police Departments Under Siege

A POLICE FOUNDATION SERIES ON DRUGS AND VIOLENCE AND THE IMPACT ON THE NATION'S POLICE .

On September 14, 1989, police chiefs from across the nation came to Washington, D.C. to find help in fighting the battle against an epidemic of illegal drug trafficking and its accompanying violence, which combined have significantly reduced the quality of life in many of our neighborhoods. Hard-core drug addiction is climbing. Homicide rates are soaring. Parents live in fear for a generation of children.

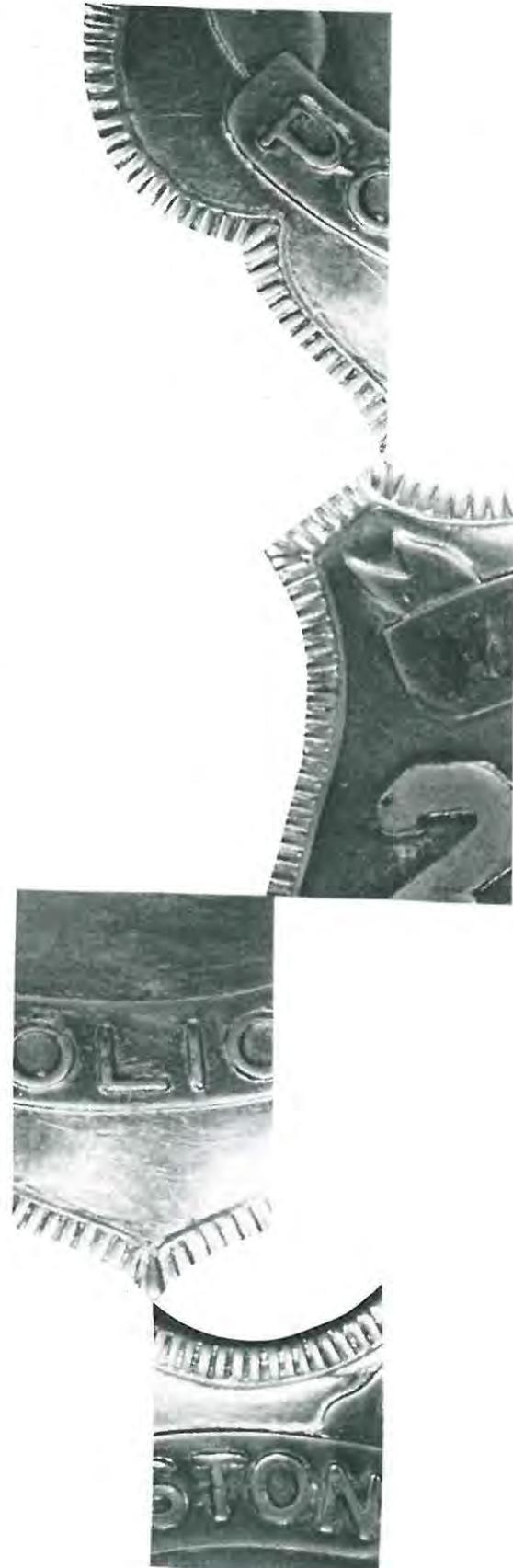
How did we get here? What is the diagnosis? The prognosis? The prescription for cure? In an attempt to answer these questions, the Police Foundation brought together police chiefs, criminal justice scholars, and law enforcement policymakers for three days in the nation's capital.

No miracle cures were offered. There was a wide range of opinion on how best to control illegal drug activity, and yet a broad consensus that the solutions required the same degree of sophistication and collaboration exercised by drug traffickers themselves. To a person, every police officer, government official, and scholar believed that, regardless of a scarcity of resources, we must bring as much energy and commitment as is humanly possible to rid society of this plague.

This report and others in this series attempt to set forth the highlights of the conference. We have preserved the informal, direct tone of the conference presentations in an effort to impart its spirit as well as its content.

Hubert Williams  
President  
Police Foundation

May 1990



## Business by Any Other Name Still Business

# Police Chiefs Urged To Wage Economic Warfare on Drug Lords

*Benjamin Ward, a 30-year veteran of policing, began his career as an Army military police officer and criminal investigator during World War II. He entered the New York City Police Department as a patrol officer in 1951 and eventually became the commissioner of the world's largest municipal police department in 1984. Commissioner Ward spoke at the Police Foundation's 1989 conference on "Drugs and Violence: Police Departments Under Siege—A Search for Solutions." The following is an edited version of his presentation.*

I want to see if I can stimulate your thinking about the drug problem in a way that perhaps is not typical, given the usual police tactics and training. I ask you to try to forget that you are police chiefs and police commanders, and try to see yourselves as managers, because that is essentially what you are. You have physical resources, personnel resources, capital resources, and expenses to worry about—the same concerns you have in the business world.

It is from this perspective that I would like you to consider the illegal drug trade. The explosive growth in the importation, distribution, and sale of cocaine throughout the United States during the past five years can be explained more by the classic economic model than by the psychological or sociological theories we have applied historically to the study of criminal behavior. The introduction of cocaine in crack form at a considerably reduced price to the user has created an enormous financial incentive for would-be entrepreneurs. Crack cocaine was a new product that opened up a new, potentially huge



New York City Police Commissioner Ben Ward, shortly before his retirement, says that sophisticated business techniques used by drug dealers must be used by law enforcement officials as well.

market. The opportunity was apparent to even the most unsophisticated huckster out to make a quick buck. And the myth that inner city people are not good at business or can't manage business has been put to rest.

The crack cocaine trade contrasts markedly with the heroin trade.

Research on heroin has shown that conditions in that market have remained relatively stable over the past decades. The rapid expansion of the crack market, however, created a dynamic, volatile marketplace. Establishing ties with reliable suppliers, organizing local distribution networks, overcoming competition, monitoring

the integrity of the sales force, avoiding legal difficulties, keeping quality control of the product, and keeping the customers satisfied requires at least a basic understanding of business principles.

Consider the quality of heroin on the streets versus the quality of cocaine. The purity of heroin ranges anywhere between 5 and 40 percent. You could *never* count on purity rates for heroin. Cocaine, on the other hand, stays relatively pure; the quality of the product stays pretty close to what it is at the import level.

We encountered only one situation in New York where an organization was cutting cocaine. They opened the packets received in New York, skimmed off about a third, replaced it with some white filler, and then sealed it at import weight. But, for the most part, quality controls are maintained. Sustained performance in each phase of the cocaine business is well beyond the capabilities of the average crack head. The engine that drives the efficient expansion and operation of the crack market, then, is financial gain and not the pleasurable effect of the drug itself.

There are thus important strategic reasons for law enforcement to view the drug trade from an economic perspective. While preventive education and treatment programs are critical in reducing demand for drugs, effective law enforcement is the key to reducing supply. Whereas sociology and medicine guide demand reduction efforts, economic principles should shape law enforcement, supply-side responses.

Assuming that most drug dealers, particularly those selling crack, are motivated by economic incentives, it is useful to examine how their opera-

tions are underpinned by good business practices. The more successful dealers seek to exploit new markets. This has been clearly the case with crack. While cocaine in powdered form provided a lucrative business, crack greatly expanded the potential drug market in several ways.

One, by being less expensive, crack was well within the means of the teenage market. Two, for the first time, the previously fashionable jet-set drug became accessible to the nation's poor. Three, crack provided drug entrepreneurs a chance to widen the geographic markets to neighborhoods previously unimportant to drug dealers. The new product was introduced to quiet residential areas and bustling commercial districts alike. We've now had drug operations on Wall Street for years.

Once those markets were tapped, the crack world's fortune 500 drug dealers—the Crips, the Bloods, the Posses, and a host of other gangs spread their networks nationwide to small- and medium-sized cities in the nation's heartland. In each case, the establishment of a new sales region was preceded by some degree of market research, and dealers responded to the pressures of competition like all good business men—they fought back or preemptively tried to stake out turf.

Many of the younger, less experienced dealers respond to the competition with extreme violence. Drive-by shootings and stylized executions are intended to intimidate all challengers. But many business-oriented dealers respond to competition by lowering prices and creating brand-name allegiance among their customers. The latter are not squeamish about using violence and intimidation to retain or expand market share, but they tend to be less public and indiscriminate in their use of force.

If I may digress for a moment, most of you have heard about the Medellin Cartel and perhaps somewhat fewer have heard about the Cali Cartel. But the Cali Cartel has controlled the New York market for years and probably most of Chicago's cocaine flows out of New York. The Cali leaders are sophisticated and very business-like. They are not blowing up anything. When one of the Cali leaders was apprehended he went to trial and beat the case in the Columbian courts. When one of the chief dealers was indicted in New York, he demanded that the case be tried in Columbia and that the U.S. Attorney send the indictment to the Cali people, which they did. But they did not send along the evidence and so his lieutenant was acquitted at the trial because of a procedural error. Ganzalo Rodriguez Gacha of the Medellin Cartel, on the other hand, operates in a very different fashion, blowing up banks and offering to take over the national debt, and, in general, making a racket. In the process, he drew a lot of attention to himself and helped precipitate the all-out attacks by the Columbian government. [Gacha was killed by the police several weeks after Ward's rather telling remarks.]

But, back to economics. Drug dealers, like all business people, try to maximize their return on investment. Cocaine traffickers have been very imaginative in their efforts to reduce their costs and increase their profits. Labor costs are minimized through the use of children and teenagers as lookouts, steerers, and street dealers. Their wages, although a small portion of total revenues, are higher than those from alternative legitimate employment opportunities, when and if those opportunities are available. And they are higher by factors of 10 to 20, at least. These young workers are recruited not only by virtue of wages higher than many youngsters could ever hope to earn, but also by

the lavish life-style and the local prominence of the dealers, whom the young worker hopes to imitate. There are other advantages to young field workers. Most states have laws that protect young people from harsh punishment. There is often very little that the courts can do with these young people, except turn them back on the streets. If they are incarcerated or killed, they are easily replaced.

Successful drug dealers have also been alert to changes in technology that can improve the efficiency of the operations. Extensive use of beepers, cellular phones, and now fax machines has become commonplace. Some drug organizations have begun to use electronic devices of various sorts to counter the threat from law enforcement, thereby putting undercover agents and other law enforcement officers at even greater risk. Their preference for the use of expensive, sophisticated weaponry is well known to all of us.

Drug dealers understand the need for sound financial management. The more successful dealers are aware of the need to manage their resources in a way that best protects their profit. This includes keeping cash available to retain competent legal counsel, to make bail, and to bribe public officials whenever that is possible. They also understand the potential tax liabilities and the IRS regulations that require reporting of certain cash transactions. They thus pursue sophisticated money laundering schemes and use front organizations that pose as legitimate businesses.

While these several business talents are exhibited in varying degrees by various figures in the drug world, the drug dealer's relative success seems directly related to their competence in each of these areas. Few have been formally educated in these matters. For some, the talent

seems almost intuitive. For many others, the exposure to illegitimate activities of all sorts—from numbers operations to prostitution—has provided the essential schooling.

Consider the numbers business. Those of you who are in big cities are intimately familiar with this major problem. Think of the structure of a typical policy operation, from the top down, from the banker down to the branch managers, to the field runners. Then think about what the typical cocaine operation looks like. Think about how the money is handled in bookmaking and in policy and think about how it must be handled in an efficient cocaine operation. The parallel is obvious.

One of the most successful cocaine operations in New York was run by a son who was raised in a family that had been in the policy business for years. He saw what his father did and maybe his grandfather before that and he applied these same principles to his business. In Clinton Hill, on the west side of Manhattan, we found dealer operations with 15 to 20 sellers on the street every day. . . . legal counsel retained, bail money set aside. We couldn't arrest them fast enough. That operation went on, no matter how frequently you picked up those kids selling on the street. You found yourself having to develop what I call "marketplace strategies" to interrupt that kind of operation.

Let me contrast the styles of two recently dismantled cocaine operations in New York. These operations happen to be in the southeastern part of Queens. It is mostly black, lower-to middle-income, but with none of the poverty that is typical of Bedford-Stuyvesant or East Harlem. While both of these organizations had fatal flaws which led to their collapse, the one more attuned to the economics of the drug trade posed a more challeng-

---

**Many of the younger, less experienced dealers respond to the competition with extreme violence . . . . But many business-oriented dealers respond . . . by lowering prices and creating brand-name allegiance among their customers.**

---

ing case for law enforcement. Both operations were similar in size and composition of the work force. Both operated primarily in Southeast Queens, but both also branched out to Harlem, Atlantic City, Baltimore, and Washington, D.C. Both dealt mostly in cocaine and pushed heroin to a lesser degree. Both were run by young men in their early to mid-20's. There, however, the similarities ended.

Organization "A" approached drugs as a business whose sole purpose was to generate profits. Its leader was a young businessperson who relied upon trusted lieutenants who shared his motives and methods. He managed his money more wisely than most. He established several legitimate businesses along one avenue in Southeast Queens—from dry cleaning stores to sneaker outlets. He laundered his profits. He built armored trucks out of vans. From the outside, one would never dream that it was an armored truck. But he had local

---

**Increasing the profit risk, a principle embodied in asset forfeiture, is perhaps the most effective weapon in the law enforcement arsenal. By uncovering money and seizing assets, the very existence of the business is put in jeopardy.**

---

welders attach quarter-inch steel plates inside the van and put a flip-down, steel hanger in the windshield. He delivered his product to his street dealers and picked up his revenues in this truck in the same way that Wells Fargo goes to any bank and picks up receipts.

He also built an armored personnel carrier. Along the base of the floor on both sides, he installed boxes which served as racks for AK-47's and other assault rifles. The personnel carrier would accompany his armored truck. At first we thought they had gone to such lengths in order to shoot police officers or to shoot other people who got in their way. But ultimately, we found out that it really was designed to protect the organization's product and revenue. Like any good businessperson, wealth was his prime motivation. He had a luxurious estate, including a \$750,000 home in Dix Hills, a fashionable area of Long Island. He had a condo and a yacht

in Los Angeles; he had 18 cars in the Long Island residence including a Rolls Royce, Porsche and several Mercedes, a brand new Jeep, and several other expensive cars.

Recently, businessman "A" retained defense counsel for what we believe to be a \$500,000 retainer. To date, more than \$3 million of his assets have been seized. We're expecting much more to be uncovered and we'll seize that as well. Organization "A" had contacts—legitimate and illegitimate—from Atlantic City to Santa Fe. Organization members were violent on occasion but they tried in general to keep a low profile. Unreliable crack addicts had no place in this organization.

In contrast, Organization "B" was far less business oriented. They relied heavily on family members, mostly women, even though many of them were addicts and prostitutes and did not have the requisite skills for what they were being paid to do. They employed wanton violence as a means of establishing respect and control and were unconcerned about bringing attention to themselves. They threatened those who testified against their organization and on one occasion tried to burn down the house of a prosecution witness. That witness was a recent immigrant to this country and had not learned to be afraid of drug dealers. They also executed a state parole officer who threatened to send the head of the organization back to state prison for parole violations. And finally, an organization leader in jail ordered the killing of a police officer, any police officer, because he felt he had been "dis'd," or disrespected, by one. They went to where they knew there would be a police officer, indeed one assigned to guard a witness against their organization, and just shot that man's brains out.

But, in the end, Organization "B" had less to show for its efforts. Its leaders made no attempt to launder their profits or establish legitimate business fronts. Their property consisted mostly of a few modest family residences. They had plenty of autos, but most of them were commonplace. Little cash remained after the organization was taken down because they were squandering it as fast as they could make it. They were also drug abusers, so presumably much of their profits provided drugs for their family and friends. The leaders have all been jailed, including the 66-year old mother of one. The sister of another is the chief witness against the leadership. Drug charges are pending in the federal courts, and there are murder charges pending in state courts. So far, all have been convicted of some crimes, with sentences from 25 years to life.

So, while the violence employed by groups like Organization "B" pose a serious threat to the safety of citizens and law enforcement officers, their methods lead to easier detection and prosecution. In time, this will become clear to all drug dealers and their approach is more likely to be modeled on Organization "A" than Organization "B." Business oriented dealers at the neighborhood level cannot be countered by traditional police tactics; law enforcement agencies must understand economic motives and business methods of drug dealers if we are to develop effective strategies to counter them.

In order to disrupt highly profitable drug operations, law enforcement must introduce severe economic disincentives into the drug business equation. These disincentives must be applied in a coordinated fashion against each aspect of the business, simultaneously if possible. Such a strategy must include at least the following:



Boston Police Commissioner Francis Roache listens as Ben Ward tells conference participants to strip drug dealers of as many assets as possible under the loosely constructed asset forfeiture laws.

- **Disruption in supply from source**—All businesses require a reliable supply of goods; intensive interdiction efforts against traffickers and processing agents are essential to interrupt that supply.

- **Disruption of the labor market**—Greatly increasing the risk of arrest, conviction, and incarceration for the pool of workers on which the business depends is an essential element of instability that must be imposed on the drug market.

- **Disruption of an efficient marketplace**—Any enforcement effort which makes it more difficult for buyers and sellers to transact business on the street reduces the marginal profit of that enterprise. Don't be suckered into believing that getting Mr. Big is going to have some magical effect on the drug trade. The last Mr.

Big taken down was Frank Lucas in New York City, but there were others more than willing to take his place. Lucas's absence had a negligible effect on the drug trade.

- **Increased risk to working capital**—The extent to which law enforcement can confiscate large amounts of drug inventory and cash all along the distribution chain will determine the relative significance of drug dealers' losses. Increasing the profit risk, a principle embodied in asset forfeiture, is perhaps the most effective weapon in the law enforcement arsenal. By uncovering money laundering operations and seizing assets, the very existence of the business is put in jeopardy.

If you read the statutes carefully, you will find that some of the artisans who put the statutes together didn't bother to distinguish between different kinds of property. The federal statute says you may seize property used in furtherance of a criminal enterprise. Now I believe that they clearly meant personal property, but the law is not explicit. So, we started out seizing personal property, taking automobiles and the like. Then, we began to wonder whether real property could be considered property within the meaning of the statute. We subsequently began to seize real estate, leaseholds, and anything else that they owned. We have been challenged in court, of course, but we have not lost at any level. And no one has come forth and said that we ought to modify the statute. It is still in effect and its remedies are available to you.

- **Attack of legal defense teams**—In New York City, the special narcotics prosecutor, Sterling Johnson, Jr., recently gained a state Supreme Court decision requiring drug organization defense attorneys to testify before a grand jury to reveal the

amount of their retainers and the source of those fees. That case has just been argued in the first appellate level court in New York State and I am sure that it will go all the way to the U.S. Supreme Court. But there is a lawyer-client privilege that some lawyers, and particularly some non-lawyers, think extends to everything; it does not. It never covered legal fees. It never covered bail. It covers those things that apply to the trial.

In conclusion, by recognizing the drug world for what it is, primarily a business, we stand to mount a more effective campaign. Forest rangers often fight fire with fire. We have to fight business with business. The illegal drug industry responds to marketplace forces of supply and demand, production cost versus market price, gross and net profit, the relationship between increased cost and decreased profit.

Law enforcement specifically and criminal justice in general will surely fail if we rely upon diversion tactics or rehabilitation strategies to solve the drug problem in America. The business of America is business. The business of law enforcement must become the virtual takeover of the drug business through application of disincentives in the marketplace. Disrupt the supply, harrass buyers and sellers, increase the cost, reduce the profit. Bankrupt the business.

*The Police Departments Under Siege conference was made possible through funding from The Ford Foundation*

## **Police Foundation**

1201 Connecticut Avenue, NW  
Suite 200

Washington, DC 20037

(202) 833-1460

FAX: (202) 659-9149

email: [pfinfo@policefoundation.org](mailto:pfinfo@policefoundation.org)