

REVIEW OF LEAA NARCOTICS FUNDING

HEARING
BEFORE THE
SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL
HOUSE OF REPRESENTATIVES
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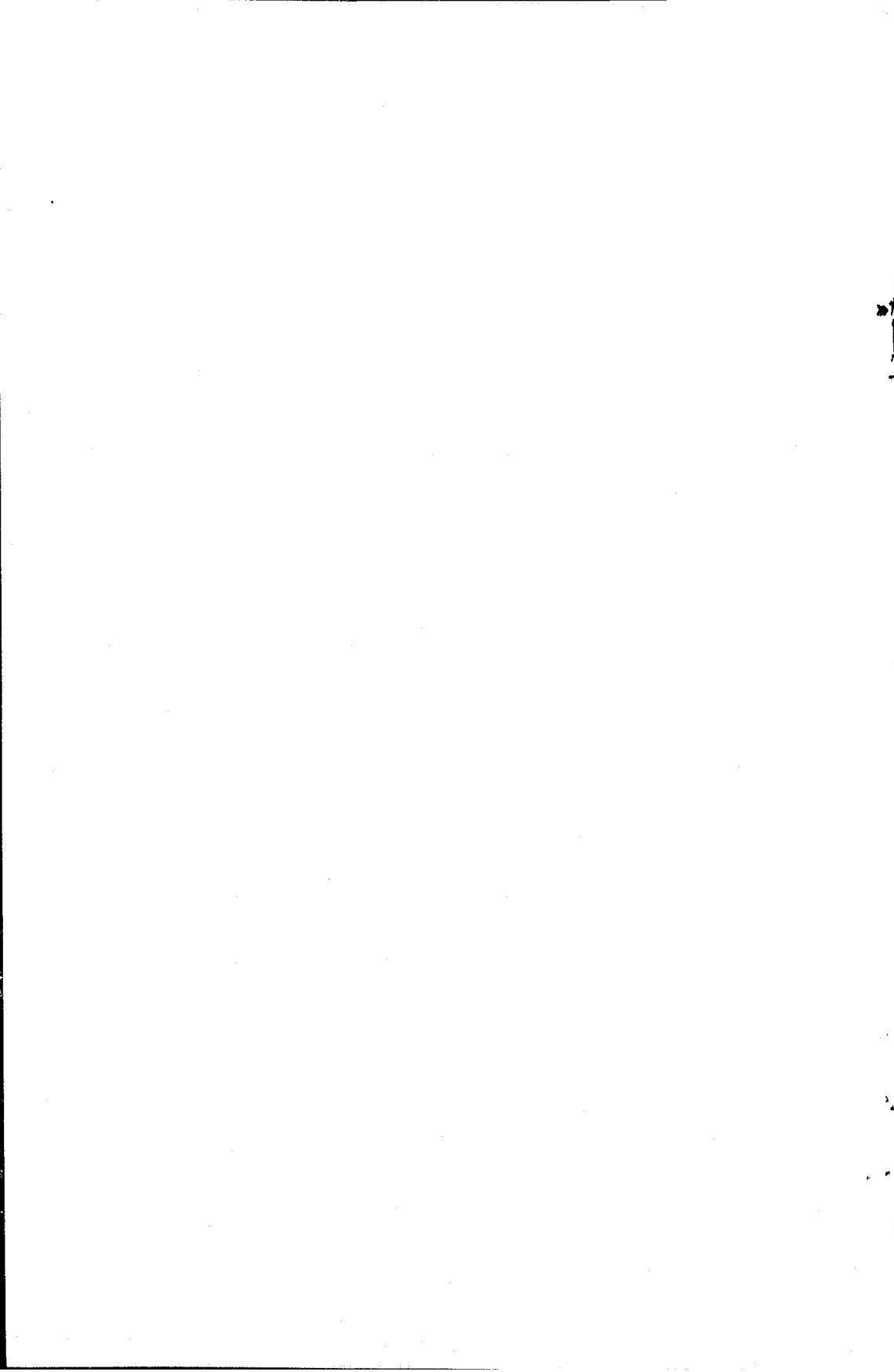
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ACQUISITIONS

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(III)



REVIEW OF LEAA NARCOTICS FUNDING

WEDNESDAY, JUNE 8, 1977

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Washington, D.C.

The Select Committee met, pursuant to notice, at 10 a.m., in room 2167, Rayburn House Office Building, Washington, D.C., Hon. Peter W. Rodino, Jr. (acting chairman) presiding.

Present: Representatives Lester L. Wolff (chairman), Peter W. Rodino, Jr., James R. Mann, Billy Lee Evans, Louis Frey, Jr., Robin L. Beard, and Tennyson Guyer.

Staff present: Joseph L. Nellis, chief counsel; William G. Lawrence, chief of staff; David Pickens, project officer; Doreen Thompson, staff counsel; Howard Wallach, staff counsel; and Charles Anderson, staff counsel.

Mr. RODINO. The committee will come to order.

Today's hearing has been called by the Select Committee for the purpose of reviewing the nature and scope of LEAA's funding assistance to State and local governments in the area of narcotics abuse control.

Because of my belief that LEAA should become more actively involved in the Federal effort to combat the problem of drug abuse, I sponsored various drug-related amendments during the Judiciary Committee's consideration of the LEAA reauthorization bill last year.

The purpose of these amendments was to insure that LEAA placed sufficient emphasis on the problem of drug abuse and that State planning agencies in developing their criminal justice plans would work closely with the drug treatment and social service agencies in their States. One of the amendments was designed to require LEAA to conduct drug related research particularly with regard to the relationship between drug abuse and crime.

I am hopeful that in the course of today's hearing we will discuss the naure of LEAA's effort to implement these amendments as well as the other provisions contained in the Crime Control Act of 1976 that relate to expenditures for narcotics control. In addition, I am hopeful that these hearings will enable us to discuss various policy issues such as:

What role does LEAA play in the current Federal strategy on drug abuse?

(1)

Should LEAA's role in controlling drug abuse be broadened?

Should LEAA and its research arm, the National Institute on Law Enforcement and Criminal Justice, engage in behavioral and drug treatment research?

Is there sufficient coordination between LEAA and NIDA with regard to the criminal justice system's handling of drug dependent offenders?

What is the current level of LEAA's narcotics related assistance for both block and discretionary grants?

Is the spending level adequate and if not, is it because State planning agencies have deemphasized drug enforcement and treatment programs in the development of their State plans?

These are just some of the issues that the Select Committee intends to pursue, and I am hopeful that as a result of these hearings we on this committee, as well as the Judiciary Committee, which has primary jurisdiction in this area, will be able to determine to what extent LEAA expenditures have augmented the overall Federal drug abuse effort.

We are, of course, especially grateful to the Deputy Attorney General, to the Administrator of LEAA and to Dr. Bufe for their appearance here today, and I am certain that your testimony will provide this committee and the Judiciary Committee with a valuable record on the issues that I have mentioned.

Before we hear from the Deputy Attorney General, I would ask the chairman of the Select Committee on Narcotics and Drug Abuse whether he has an opening statement to make?

Mr. WOLFF. No, Mr. Chairman, I do not. I would just like to thank you for your cooperation in this matter.

I do want to say that, as you have indicated, the primary jurisdiction for this matter rests in the Judiciary Committee's Subcommittee on Crime, chaired by John Conyers, and that we are grateful for the cooperation that we have been extended by the Judiciary Committee in these hearings. Thank you very much.

Mr. RODINO. Thank you.

Now, the Deputy Attorney General of the Department of Justice, Mr. Peter F. Flaherty, who is accompanied by Mr. James M. H. Gregg, Acting Administrator of LEAA.

You may proceed as you wish, and I understand you have a prepared statement which you may read, or proceed as you wish.

TESTIMONY OF PETER F. FLAHERTY, DEPUTY ATTORNEY GENERAL, U.S. DEPARTMENT OF JUSTICE, ACCOMPANIED BY JAMES M. H. GREGG, ACTING ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION; AND J. ROBERT GRIMES, DIRECTOR, REGIONAL OPERATIONS, LEAA

Mr. FLAHERTY. Mr. Chairman and members of the committee, I am pleased to be here this morning to discuss with the Select Committee the programs supported by the Law Enforcement Assistance Administration.

I am accompanied, as you mentioned, by Mr. James Gregg, the Acting Administrator of LEAA, and also on Mr. Gregg's left is Mr. Robert Grimes. He is the Assistant Administrator in charge of the regional offices.

In my brief statement, I will provide a general overview of LEAA activities relating to the prevention, control, and treatment of narcotics abuse.

Mr. Gregg will be submitting a more detailed statement later, will submit it on the record, and will speak to you about the highlights of that statement. Mr. Gregg will also comment on some of the previous difficulties experienced by LEAA obtaining adequate information regarding projects funded at the State and local level through the block grant system. Finally, the statement will address steps being taken as a result of the enactment of the Crime Control Act of 1976 to improve LEAA's ability to obtain reliable information concerning programs it has funded for prevention, control and treatment of narcotics abuse.

Drug abuse and narcotic addiction continue to be national problems and national tragedies. Drug-related deaths in the United States are estimated to exceed 1,000 annually. The number of heroin addicts in the country has been estimated to be approximately one-half million. These figures represent a sad waste of human lives and potential. In addition to the toll it takes on individual drug abusers and their families, drug abuse poses a serious threat to society by virtue of crimes committed by drug-dependent offenders. Recent studies suggest that there is a nexus between drug abuse and the commission of street crimes. To finance their habits, certain drug users may turn to drug trafficking or to burglary, robbery, prostitution, or shoplifting.

There is no simple, easy solution to the problem of drug abuse. Drug abuse is both a medical and a criminal justice problem. Accordingly, both treatment and law enforcement programs are necessary to combat the problem. The Federal Government recognizes that treatment and law enforcement programs are necessary components of a comprehensive strategy to combat drug abuse. Federal strategies include specific programs designed to inhibit the supply of dangerous drugs, to curtail the trafficking of such drugs, to treat drug users and to educate citizens concerning drug abuse.

LEAA is one of a number of Federal agencies that share responsibility for the prevention, control, and treatment of drug abuse. The nature of the LEAA program has, in part, defined the agency's role in drug abuse programs. Recognizing that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively, the bulk of LEAA funds is awarded to the States in block grants according to relative population. Out of the total LEAA budget I might say that 85 percent of the total budget goes to the States directly in the form of block grants.

Funds are allocated to each participating jurisdiction upon approval by LEAA of a comprehensive statewide plan in which needs and priorities in all areas of law enforcement, criminal justice, and juvenile delinquency prevention and control are identified. These funds are subsequently distributed to the various units of State and local government and nonprofit agencies through State planning agencies which administer the program.

The States have used block grant funds to support drug programs in virtually every major category: enforcement, education, preven-

tion, community treatment, institutional treatment, training, research, and planning and coordination. However, State efforts have been concentrated in the areas of enforcement and community treatment programs.

A relatively small portion of LEAA's appropriation is retained by the agency. Fifteen percent of the total budget is retained by the central LEAA agency for discretionary grants. These discretionary funds are used for grants to support innovative and experimental projects and programs of national scope. The National Institute of Law Enforcement and Criminal Justice within LEAA sponsors research, evaluation, demonstration programs, and information dissemination.

Because LEAA's limited resources cannot possibly satisfy the needs of the many jurisdictions with drug abuse and enforcement difficulties, these discretionary funds have been focused on a limited number of efforts which have demonstrated particular success or promise. LEAA is also guided in its activities by the recent "Federal Strategy for Drug Abuse and Drug Traffic Prevention" issued by the Strategy Council on Drug Abuse. LEAA resources have been devoted primarily to the following programs: Treatment alternatives to street crime program (TASC), support of Drug Enforcement Administration projects, support of metropolitan enforcement groups, the New York narcotics court program, development of a program to provide drug and alcohol treatment services to offenders in prison or on a supervised release program, technical assistance, and research and evaluation.

Mr. Gregg will be submitting a detailed statement to the committee which discusses these programs in some detail. I would also ask if he may summarily recite to you highlights of his submitted statement and then, of course, we will both be here to answer any questions that the committee may have.

Mr. RODINO. Thank you very much.

[Mr. Flaherty's prepared statement follows:]

**PREPARED STATEMENT OF PETER F. FLAHERTY, DEPUTY ATTORNEY GENERAL, U.S.
DEPARTMENT OF JUSTICE**

Mr. Chairman, I am pleased to appear today on behalf of the Department of Justice before the House Select Committee on Narcotics Abuse and Control to discuss programs supported by the Law Enforcement Assistance Administration. I am accompanied by Mr. James Gregg, Acting Administrator of LEAA and Mr. Robert Grimes, who is Assistant Administrator in charge of LEAA's Office of Regional Operations and a former Regional Administrator of the LEAA Dallas Regional Office.

In my statement, I will provide a general overview of LEAA activities relating to the prevention, control and treatment of narcotic abuse. Mr. Gregg will be submitting to the Committee a statement which provides greater detail concerning those activities. Mr. Gregg will also comment upon previous difficulties experienced by LEAA in obtaining adequate information regarding projects funded at the State and local level through LEAA block grants. Finally, Mr. Gregg's statement will address steps being taken as a result of enactment of the Crime Control Act of 1976 to improve LEAA's ability to obtain reliable information concerning programs it has funded for prevention, control and treatment of narcotic abuse.

Drug abuse and narcotic addiction continue to be national problems and national tragedies. Drug-related deaths in the United States are estimated to exceed 1,000 annually. The number of heroin addicts in the country has been estimated to be more than a quarter of a million persons. These figures represent a sad waste of human lives and potential. In addition to the toll it takes on individual drug abusers

and their families, drug abuse poses a serious threat to society by virtue of crimes committed by drug-dependent offenders. Recent studies suggest that there is a nexus between drug abuse and the commission of street crimes: To finance their habits, certain drug users may turn to drug trafficking or to burglary, robbery, prostitution and shoplifting.

There is no simple, easy solution to the problem of drug abuse. Drug abuse is both a medical and a criminal justice problem. Accordingly, both treatment and law enforcement programs are necessary to combat the problem. The Federal Government recognizes that treatment and law enforcement programs are necessary components of a comprehensive strategy to combat drug abuse. Federal strategies include specific programs designed to inhibit the supply of dangerous drugs, to curtail the trafficking of such drugs, to treat drug users and to educate citizens concerning drug abuse.

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The States have used block grant funds to support drug programs in virtually every major category: enforcement, education, prevention, community treatment, institutional treatment, training, research, and planning and coordination. However, State efforts have been concentrated in the areas of enforcement and community treatment programs.

A relatively small portion of LEAA's appropriation is retained by the Agency. Discretionary funds are used for grants to support innovative and experimental projects and programs of national scope. The National Institute of Law Enforcement and Criminal Justice within LEAA sponsors research, evaluation, demonstration programs and information dissemination.

Because LEAA's limited resources cannot possibly satisfy the needs of the many jurisdictions with drug abuse and enforcement difficulties, these discretionary funds have been focused on a limited number of efforts which have demonstrated particular success or promise. LEAA is also guided in its activities by the recent "Federal Strategy for Drug Abuse and Drug Traffic Prevention" issued by the Strategy Council on Drug Abuse. LEAA resources have been devoted primarily to the following programs: Treatment Alternatives to Street Crime Program (TASC), support of Drug Enforcement Administration projects, support of Metropolitan Enforcement Groups, the New York Narcotics Court Program, development of a program to provide drug and alcohol treatment services to offenders in prison or on a supervised release program, technical assistance, and research and evaluation.

Mr. Gregg will be submitting a statement to the Committee which discusses these programs in some detail.

Thank you, Mr. Chairman. We would now be pleased to respond to any questions the Committee might have.

Mr. RODINO. Mr. Gregg, you may proceed.

TESTIMONY OF JAMES M. H. GREGG

Mr. GREGG. Thank you, Mr. Chairman. I will be very brief.

As my full statement makes clear, LEAA has funded a broad range of narcotics and drug programs. These include research and evaluation, treatment and rehabilitation, education and prevention, and law enforcement. These activities have been carried out with both LEAA discretionary and block grant funds.

The programs that we funded have proved quite useful. One measure of the success of these programs is the willingness of State and local governments to assume the cost of them over time.

The chairman is quite familiar with the TASC program—treatment alternatives to street crime. This is a program that LEAA has developed and supported in 44 cities. Thirteen jurisdictions throughout the country have totally assumed the cost of funding projects whose LEAA funding has ended.

Mr. Chairman, while my statement identifies a number of important and useful LEAA activities in the narcotics and drug area, it would be remiss on my part to suggest that LEAA or any other agency can speak with great confidence about the success of drug control programs. As this committee is aware, this is a complicated and difficult area from both the treatment perspective and the law enforcement perspective. We are dealing with complicated problems of human behavior and social policy. We are also dealing with many untested assumptions about what is and is not effective in controlling drug abuse. Therefore, Mr. Chairman, I believe that our efforts in evaluation and research regarding these issues and assumptions are most important.

Finally, the narcotics and drugs area is one in which coordination remains an essential issue and problem. This coordination is required at every level of government. It is required in planning. It is essential in implementation of programs by operational agencies. LEAA has tried to build coordination into its program design and has insisted on evidence of coordination in grant applications. Effective coordination is a criterion that LEAA uses in monitoring and evaluating drug programs. Coordination is a difficult, time-consuming and frustrating business, but it is essential to the development of more effective programs.

One last point, Mr. Chairman, concerning information. In reauthorization legislation for LEAA last fall, Congress provided the agency the legal authority that we had long needed to collect required information about programs. We are now in the process of utilizing that authority to collect the data needed to effectively assess and evaluate our programs. We are also in the process of doing a complete analysis of our information and data requirements and the various mechanisms needed to collect this data. We expect substantial improvement in this area.

As the Deputy Attorney General indicated, Mr. Robert Grimes, Assistant Administrator in charge of LEAA's Office of Regional Operations, is with me. We will be pleased to respond to any questions that the committee may have.

Mr. RODINO. Thank you very much.

Without objection, the statement of Mr. Gregg will be inserted in the record in its entirety.

[Mr. Gregg's prepared statement follows:]

**PREPARED STATEMENT OF JAMES M. H. GREGG, ACTING
ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION**

Mr. Chairman, this statement is intended to provide for the record an overview of activities by the Law Enforcement Assistance Administration relating to the prevention, control, and treatment of narcotic abuse, comment on previous difficulties experienced by LEAA in obtaining adequate information regarding projects funded at the state and local level, and address steps being taken as a result of enactment of the Crime Control Act of 1976 to correct past deficiencies.

Treatment Alternatives to Street Crime

Drug abuse and narcotic addiction are among the factors that contribute to street crime. Urban jails are filled with drug abusers and addicts; a study of a group of approximately 1,000 people arrested in Dade County, Florida, revealed that 57.8 percent of these individuals admitted regular drug use, excluding alcohol. Addicts are arrested and rearrested. Of a group of 3,600 addict offenders studied in New York City, 98 percent had prior arrest records, and 35 percent had been arrested five or more times.

It appears, therefore, that a relatively small addict population may be responsible for a disproportionately large percentage of street crime. Treating these individuals should help them break the cycle of addiction, crime, and arrest.

TASC was developed to identify addicts entering the criminal justice system and to channel those eligible for release into treatment programs. TASC links the criminal justice system to the health care delivery service system. It uses the leverage of the criminal justice system to move the addict into treatment and to motivate him or her to stay there. The TASC tracking component keeps the court informed of any client violations of TASC success/failure criteria.

The program was designed to meet three basic goals:

- (1) To identify and refer individuals to appropriate treatment programs prior to trial or subsequent to conviction.
- (2) To decrease the problems caused in detention facilities by arrested addicts who manifest signs of withdrawal.
- (3) To assist drug dependent persons who are accused of crime to become self-sufficient and law abiding persons.

The following are the basic services presently performed by TASC projects:

1. Overcrowding in local jails has been eased by providing supervised pre-trial release service for many offenders who would otherwise be detained.
2. TASC presents prosecutors the option of pre-trial diversion (for first or second-term offenders), thus saving the time and cost of a jury trial.
3. The primary beneficiaries of TASC services are judges who (a) now have TASC treatment input and a pre-trial "track record" that can be included in pre-sentence investigations and (b) may use TASC

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supervised treatment (as a condition of probation) as an alternative to incarcerations. At least one study has also indicated that the "failure to appear" in court rate of TASC clients is less than half of addicts with no pre-trial supervision.

4. Probation and parole officers, many of whom operate with enormous caseloads, use TASC to place their clients in the most appropriate treatment facility and closely monitor their treatment progress (which includes mandatory weekly urinalysis).

The TASC Program has received over \$19 million from LEAA. Projects have been supported in 44 cities in 32 states and the Commonwealth of Puerto Rico.

Over 29,000 offenders have entered TASC projects across the country and only 12 percent have been rearrested on a new charge while in the program. These figures are given added significance by the fact that 78 percent of TASC clients are felons, 68 percent are heroin abusers, 43 percent have been arrested at least five times, and about half of all clients have never received drug treatment prior to TASC involvement.

A further indication of the program's successful efforts is that state and/or local governments have picked up the costs of 13 of the 15 TASC projects that have completed their two years of LEAA funding. In fiscal year 1977, LEAA plans to expand the TASC program to 11 additional cities that have already submitted grant applications requesting \$2.5 million.

I am pleased to note, Mr. Chairman, that this Committee commented favorably on the TASC program in its February 1977 Interim Report, where the following statement was made:

"As so often highlighted by Chairman Rodino, the Federal agencies with responsibility for drug abuse prevention and law enforcement must now give precedence to the process of diverting qualified addict offenders from the criminal justice system to community based treatment, as provided in the Treatment Alternative to Street Crime (TASC) program."

Cooperation with the Drug Enforcement Administration

As you know, Mr. Chairman, the Federal agency principally responsible for drug law enforcement is the Drug Enforcement Administration within the Department of Justice. Created in July 1973, DEA combines functions formerly performed by elements of the Departments of Justice and Treasury. LEAA has been quite active in working with DEA in order to coordinate drug abuse law enforcement programs and to support certain programs.

In April 1974, the Administrators of LEAA and DEA signed a memorandum of agreement that established a mechanism for developing a comprehensive strategy for the joint efforts. A Joint Planning and Policy Review Group, composed of three officials from each Agency, meets at the call of either LEAA or DEA. DEA has provided LEAA with a senior agent for each of its ten regional offices. These drug enforcement specialists provide extensive technical assistance to narcotics units in each region and participate in LEAA reviews of state drug law enforcement planning.

LEAA has supported the DEA Task Force Program for several years. The Program has operated in more than 50 cities, with LEAA funding of over \$36 million provided. The Program is designed to combine federal, state, and local enforcement resources to combat local and regional narcotics networks.

Diversion of drugs from legitimate outlets such as pharmacies and hospitals to the illicit drug market contributes significantly to the drug abuse problem. To counteract this, LEAA, in cooperation with DEA, has funded units in 12 states. Each unit is composed of representatives from state enforcement and professional regulatory agencies and a DEA special agent.

In fiscal year 1977, LEAA, in cooperation with DEA and other units of the Department, will target approximately \$1 million to assist several jurisdictions along the U.S. borders to assume investigative and prosecution activities against low and mid-level traffickers previously handled by federal agencies. This multi-jurisdictional approach will be utilized on a large scale as part of a four-state effort in the Southwest to combat drugs and organized crime. Arizona, Colorado, New Mexico, and Utah are joining in this effort which is built upon a previously successful project involving four counties. In addition, California, Nevada, Washington, and Oregon are receiving support for a multi-state effort to interdict air and marine trafficking of drugs.

Metropolitan Enforcement Groups

Metropolitan Enforcement Groups (MEGs) are multijurisdictional narcotics units established by police agencies within a metropolitan area. Unlike individual agencies, a MEG can cross jurisdictional lines. Such efforts also serve to reduce duplication of enforcement efforts relating to narcotics control.

The Narcotics Court Program

LEAA's New York Regional Office has provided support for 12 narcotic courts in New York City. Because the courts only hear narcotic cases, speedy and specialized prosecution is permitted. Hopefully, a demonstrable ability of the law to deal swiftly and aptly with offenses will result in a reduction of the distribution of narcotics.

Treatment for Offenders

LEAA is presently finalizing the design of the Treatment and Rehabilitation for Addicted Persons (TRAP) Program. The TRAP model, which will be tested in fiscal year 1978, is designed for implementation in minimum or medium security prisons for drug and alcohol abusing offenders who are within nine months of their parole date. These offenders will receive nine months of institutional treatment followed by nine months of closely supervised community-based treatment while on parole.

The model is based on a National Institute of Law Enforcement and Criminal Justice Prescriptive Package entitled "Drug Programs in Correctional Institutions," now being printed. The Program will be tested in at least two prison systems in fiscal year 1978. If the results look good, it will be expanded. The Program is of particular interest in that it will hopefully provide a model that states can use to facilitate their meeting the special requirements of the Crime Control Act relating to improvements in state correctional facilities and programs.

Technical Assistance

LEAA will, in the future, be giving particular emphasis to technical assistance in order to maximize the utilization of existing resources. I have already mentioned the activities of the DEA agents in LEAA's ten regional offices. In fiscal year 1977, LEAA will support ten regional seminars designed to solidify the needed cooperation among governmental units.

The Administrators of LEAA and DEA plan to sponsor a series of briefing papers directed toward key executive and legislative officials at the state and local level designed to set forth the major facts on drug abuse, strategies for enforcement, available federal support for training and operational activities. Of particular importance will be recommendations for action to be taken to increase the enforcement of drug trafficking laws.

Research and Evaluation

The 1976 amendments to LEAA's enabling legislation assigned to the National Institute of Law Enforcement and Criminal Justice explicit responsibilities in the area of drug abuse research, as follows:

The Institute shall, in conjunction with the National Institute on Drug Abuse, make studies and undertake programs of research to determine the relationship between drug abuse and crime and to evaluate the success of the various types of drug treatment programs in reducing crime and shall report its findings to the President, the Congress, and the State planning agencies and, upon request, to units of general local government.

Through an interagency agreement with the National Institute on Drug Abuse (NIDA), the Institute is now participating in a large cohort analysis of treatment effectiveness, including client criminality, for drug users while in treatment and following treatment.

The Institute's Office of Evaluation has funded an evaluation of the TASC Program.

The Institute has also developed plans to begin research during fiscal year 1977 on the relationships between drug use and crime. A grantee to carry out these plans will be selected through a competitive procedure.

Prior research on drug-crime relationships has been reviewed and summarized through the recently completed work of the NIDA Panel on Drug Use and Criminal Behavior. The Panel prepared a state-of-the-art summary review entitled Drug Use and Crime which appeared in September 1976. Using the Panel's work as a basis, the Institute will develop a more detailed research agenda and strategy.

The Institute is currently supporting several other activities in the area of narcotics abuse. The Hoover Institution has a research agreement with the Institute for Econometric Studies of the Criminal Justice System. Included in this agreement is a significant effort to research and model the effects of drug price and drug treatment availability on neighborhood crime rates. Conceptual models of the market behavior of drug users and suppliers will be developed.

The Research Triangle Institute is conducting a study for the Institute entitled "The Police and Illicit Substance Control." The study will evaluate the cost-effectiveness of drug enforcement strategies employed by four different police departments. Particular attention is being given to information flow in drug enforcement units.

The National Institute is also the division of LEAA responsible for information dissemination. The National Criminal Justice Reference Service has a library of a million documents relating to all areas of law enforcement and criminal justice, including narcotics abuse. Interested organizations and individuals can register with the Reference Service to receive periodic information on developments in their areas of interest. The Reference Service also provides, without charge, annotated bibliographies and information searches regarding many different criminal justice subjects.

The Institute's Technology Transfer Division has the additional responsibility of publishing and distributing information on model programs. Prescriptive Packages, such as the one entitled "Drug Programs in Correctional Institutions" which I mentioned previously collect and analyze information on the experience of various operational agencies. It offers both a status report and a guide for implementation of future successful programs. Another example of a Prescriptive Package in the Committee's area of interest is a "Multi-Agency Narcotics Unit Manual."

Exemplary Projects are efforts which have been selected as outstanding by a special Institute Review Panel. All must demonstrate a measurable ability to reduce crime or improve the criminal justice system. A descriptive brochure and operational manual is prepared for each of these projects and is distributed to interested practitioners. The process permits replication of the projects in other jurisdictions.

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I would like to turn now, Mr. Chairman, from a general discussion of the nature of LEAA support for drug programs to specifics regarding the extent of such assistance. I would like to submit at this time a chart summarizing LEAA block and discretionary grant awards for narcotics abuse and control projects from fiscal year 1972 to 1977. The source of the data is PROFILE, LEAA's computerized grant information system.

It is my understanding that these figures differ from information previously supplied the Committee by the Office of Management and Budget and the former Special Action Office for Drug Abuse Prevention. This type of information is very difficult to compile, and while I cannot speak to how other agencies arrived at their dollar totals, I would like to address the system used to collect and store the LEAA data -- a system which has operated under past constraints which have limited its utility and accuracy.

It should first be pointed out that the figures for the most recent years do not represent all of the funds available to LEAA. The money is not awarded immediately upon the beginning of a new fiscal year and allotment of the Agency's appropriation. Instead, grants are made in a more deliberate fashion. There is further a built-in lag time in reporting state subgrants because of the need for planning in advance of fund awards.

Aside from this reporting delay for recent years, a more serious problem affects the accuracy of block grant data. LEAA makes discretionary awards directly from its Washington or regional offices. Grant documents can be easily submitted to PROFILE for coding and entry into the computerized system. States, however, submit block grant information on a voluntary basis. LEAA has been precluded from requiring that the data be submitted at all, much less in a standardized format. While many states are

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cooperative, others are not. The anomalous situation has existed where LEAA's enabling legislation requires that reports be kept regarding every grant made but the states need not do any more with the report than just keep it. LEAA and the General Accounting Office are permitted access to the information for the purposes of audit, but "The New Federalism" has served to limit the accountability of the Agency for other purposes.

Federal Management Circular 74-7 (formerly OMB Circular A-102) promulgates standards for consistency and uniformity in the administration of federal grants to state and local governments. LEAA has been limited in the information it could collect regarding subgrantees by the Circular. It provides that unless there is specific statutory language to the contrary, detailed data on particular projects may be requested regarding grantees below the state level only for special purposes.

LEAA sought a waiver of these restrictions to develop a system to monitor subgrant application, award, and accounting practices and procedures. The waiver request emphasized the need for accountability to Congress. Nonetheless, in November 1973, the Agency's request to have information routinely forwarded for inclusion in a centralized data base was denied. Because some states have not voluntarily complied with LEAA's requests for voluntary submission of information, the data which I submitted are admittedly incomplete.

OMB's view at the time was that instead of having both the States and LEAA collecting the information from thousands of subgrantees, the better approach would be to have necessary information readily available in the State planning agencies for LEAA use when needed.

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It is expected that this situation will change very shortly. With enactment of a new section 519 in the Crime Control Act of 1976, LEAA now has specific statutory authority to require standardized submission of information. The new reporting requirements included in section 519 are being viewed very seriously, and the Agency is acting as rapidly as possible to assure compliance.

The revision to section 519 fully defined and guided LEAA on the minimum content of its annual report. The intent of the amendment was to require reports sufficiently comprehensive to form a basis for the exercise of congressional oversight of LEAA programs without requiring an inordinately lengthy document.

LEAA is finalizing a workplan to insure that the report submitted to Congress and the President by March 31, 1978, will comply fully with section 519. To date, activities have focused on detailing the exact nature of the reporting requirements that are placed on each division within LEAA and those placed on the state planning agencies. All reporting units are now aware of their individual responsibilities and are aiding in the development of standardized reporting formats that will present the data in a readable fashion.

Reporting the block grant data derived from the state planning agencies will be the most difficult element of the annual report. The amendment was enacted into law on October 15, 1976. To meet planning requirements and qualify for block grant awards, however, the states were required to submit their fiscal year 1977 comprehensive plans to LEAA by July 31, 1976. All state activities under the LEAA program derive from the comprehensive plans. Thus, the states had started operations for 1977 according to a plan that did not necessarily contemplate the changes made after the fiscal year had started.

To resolve this difficulty, LEAA is devising, in concert with the National Conference of State Criminal Justice Planning Administrators, standard reporting formats for the states to use. Additionally, LEAA has offered the assistance and guidance of its state representatives to help the state planning agencies reconstruct the data needed for the report and enable them to make a timely submission to LEAA.

The format being developed will focus upon collection data on the amounts expended for each component of the criminal justice system. Following the budget submission and management system format used by LEAA, the program areas under which the data will be aggregated are prevention, enforcement, adjudication, corrections, and system support. An additional subset of data will focus on juvenile justice, permitting analysis of the efforts undertaken in this field. Information will also be included regarding programs and projects in each state which are innovative or incorporate advanced techniques, which seek to replicate other successful efforts, which have achieved their intended purposes, and which have failed to achieve their objectives.

Discretionary grant activity will be reported according to the same program areas and in the same format as block grant activities. The other required summary and evaluative information will be prepared by the appropriate LEAA offices. The document actually submitted March 31 will take the form of an annual report that includes information normally to be expected plus separate national-level aggregations of block and discretionary activities as required by section 519. More detailed analyses fulfilling the specific subsections of section 519 will be presented as appendices to the report.

The information submitted by the state for the annual report will be invaluable to PROFILE and will assure accountability by LEAA. Steps have been taken to provide each state planning agency with direct access to all material contained in PROFILE. The Agency's regional offices and certain of its central offices have computer terminals in operation at this time. Terminals will become operational in the states in the current fiscal year. Together with the National Criminal Justice Reference Service, LEAA will be able to readily transfer advanced technology to program participants. It will also permit monitoring and evaluation responsibilities to be more effectively exercised.

Mr. Chairman, that concludes my overview statement.

LEAA AWARDS FOR DRUG ABUSE PROGRAMS*
 (In Thousands of Dollars)

FY 1972 - 77

<u>FISCAL YEAR</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Research	\$ 5,027 691 4,336	\$ 5,435 203 5,232	\$ 738 155 583	\$ 1,306 144 1,162	\$ 2,182 1,159 1,023	\$ 631 -0- 631
Treatment/Rehab	\$ 25,736 20,067 5,669	\$ 32,524 16,004 16,520	\$ 14,440 12,132 2,308	\$ 18,721 9,678 9,043	\$ 16,764 7,589 9,175	\$ 3,270 1,387 1,883
Education/ Prevention	\$ 13,358 10,235 3,123	\$ 11,482 5,940 5,542	\$ 3,959 3,956 3	\$ 2,612 1,377 1,235	\$ 3,190 2,456 734	\$ 69 69 -0-
Training	\$ 3,665 3,218 447	\$ 3,503 1,511 1,992	\$ 1,271 1,038 233	\$ 2,069 776 1,293	\$ 3,333 1,405 1,928	\$ 1,875 73 1,802
MGMT Support/Eval	\$ 26,684 5,201 21,483	\$ 22,961 5,054 17,907	\$ 12,008 2,487 9,521	\$ 22,100 3,380 18,720	\$ 13,508 2,820 10,688	\$ 5,598 173 5,425
Law Enforcement	\$ 23,495 13,313 10,182	\$ 23,024 14,015 9,009	\$ 21,346 11,074 10,272	\$ 21,431 9,946 11,485	\$ 13,857 6,899 6,958	\$ 5,009 1,538 3,471
Total Narcotics/ Dangerous Drugs**	\$ 71,336 43,508 27,828	\$ 69,019 41,062 27,957	\$ 44,246 30,807 13,439	\$ 60,455 26,689 33,766	\$ 40,873 22,787 18,086	\$ 12,073 3,248 8,825

*Source: PROFILE - LEAA Computerized Grant Information System (May 25, 1977)

DOJ-1977-06 **The sums of the individual categories exceed the indicated totals because many programs qualify for inclusion in multiple categories.

Mr. RODINO. May I first say that I welcome the testimony presented by both of you gentlemen. I would like to now address some general questions to both Mr. Flaherty and Mr. Gregg.

Can you advise us what efforts have been made by LEAA to implement the provision contained in the Crime Control Act of 1976 that requires the National Institute on Law Enforcement and Criminal Justice in conjunction with NIDA to "make studies and undertake programs of research to determine the relation between drug abuse and crime and to evaluate the success of the various types of drug abuse programs in reducing crime?"

I notice, Mr. Gregg, on pages 7 and 8 of your prepared statement you have given us a general overview of what LEAA is doing presently, in order to try to bring together these various programs that are already in being.

Can you briefly respond to that question so that we may know where you are at this time?

Mr. GREGG. Yes, sir, I would be pleased to.

We have had a continuing relationship with the National Institute of Drug Abuse over the years, with respect to research treatment, and other programs as well. We have also worked in the past with the Special Action Office for Drug Abuse Prevention. We have a continuing strong relationship with NIDA in the research area, partly as a result of the amendments which you mentioned. In addition, we are planning, in consultation with NIDA, additional research on our own. NIDA is sponsoring a major research project—a longitudinal study of drug users and offenders. We are participating with them in that study and contributing funds to it.

There are other projects mentioned in my statement. We plan a more extensive research program on our own.

In the course of our planning, we have looked at a great deal of research done by NIDA, other Federal agencies, and private agencies. We are going to try very hard to avoid some of the problems and mistakes that have resulted in the past.

As you are aware, Mr. Chairman, a literature search in this area was sponsored by NIDA last year. While that was useful, we have found again and again in this area that research results often turn out to be inconclusive because the research is begun without a clear look at data necessary to conduct new research and the methodological problems that may be involved. Hence, money has been sometimes spent for research from which we can conclude little. Critics of such studies say that they cannot be relied upon because of poor methodology.

For the research plan we are developing, we are first reviewing all the research that has been done previously. We are analyzing the critical gaps in knowledge that we still have, particularly gaps that have policy relevance. We are going to start off with grants which require data availability and methodology to be assessed. In these first phase grants we will require the researchers to prepare preliminary designs so that we can be assured before a full range research is undertaken. Thus, when the research is completed, we will have some reliable results and some more definitive answers.

This planning has gone on in consultation with NIDA and other Federal agencies involved in this area. We expect to be making some grants very shortly.

Mr. RODINO. Let me ask you two more questions and then I will turn it over to the other members.

First of all, have you set up any guidelines, or what guidelines or regulations have been promulgated by LEAA to implement the requirement in the recently enacted law, Public Law 94-503, that State plans develop "procedures for effective coordination between State planning agencies and single State agencies in responding to the needs of drug-dependent offenders."

I would like to know if at this time you do have any regulations on that?

Mr. GREGG. Yes, sir, we do. Section 50 of our guideline manual for State planning agency grants requires compliance with the act. Coordination between LEAA State planning agencies and single State agencies will be enforced by LEAA.

I might mention, Mr. Chairman, that this is something in which we have been generally interested in the past. We want to assure this kind of coordinated effort. Under NIDA and LEAA cosponsorship, a conference was held last year for all of our SPA directors and the single State agency directors of the NIDA program to discuss mutual concerns and problems, and to initiate some joint planning. Subsequent to that meeting there have been three regional followup meetings at which the SPA directors and the directors of the single State agencies have gotten together and consulted in more detail about matters of mutual interest. The question of coordination is certainly one that has been addressed to some extent in the past and will be increasingly addressed now that we have this legislation and the implementing guidelines.

There are some good models for this coordination. I understand that in New Jersey there is a very good model in which representatives of the SPA, the single State agency, correctional institutions and mental health institutions have gotten together to discuss, resolve, and deal with problems of mutual interest. We expect to see that kind of model increasingly used as a result of this new amendment.

Mr. RODINO. Thank you.

I have one other question. Then in view of the fact that there is a record vote some of us will have to leave, but we will return immediately thereafter.

I have before me a chart, and I hope that you have a copy of it.

Mr. FLAHERTY. I think we have a copy of it. We have it, yes.

Mr. RODINO. The chart sets forth the total narcotics-related obligations by LEAA from 1969 to 1977, and the first section of that relates to LEAA total narcotic and dangerous drug obligations in the form of nonblock and block grants, and this was provided to us by the Congressional Budget Office, as of April 12, 1977. What I am curious about is that if we look at the figures we find in 1972 an expenditure here or an allocation of \$74.21 million, and then going on to 1977 we get \$8.82 million. Why this wide discrepancy?

Mr. GREGG. Mr. Chairman, I am sorry. I had not seen this table until I was just provided it. I do have another table that I believe you have referred to. I think that there are definitely some problems with the data. We can take it back and try to reconcile it, find out how CBO got their figures. There are some very obvious

discrepancies, as you point out. We can analyze their figures, determine the source of them, and try to see just why there is a difference.

[The information referred to follows:]

TOTAL NARCOTICS RELATED OBLIGATIONS BY LEAA
(in millions of dollars)

	1969	1970	1971	1972	1973	1974	1975	1976	1977
LEAA Total Narcotic and Dangerous Drug Obligations: Combined Non-block and Block grants. Provided by CBO 4/12/77	1.68	22.97	50.69	74.21	60.61	44.15	45.95	38.14	8.82
LEAA Subgrant Awards (Block-grants and Discretionary Awards for Narcotics and Dangerous Drugs Provided by LEAA 5/20/77 and 5/23/77				71.34	69.12	44.25	60.38	40.92	12.12
LEAA Total Demand Reduction and Supply Reduction Obligations for Narcotics Provided by ODAP 5/31/77		11.3	25.8	56.2	56.1	53.6	59.1	44.9	46.3
LEAA Narcotics Obligations Reported in <u>Federal Drug Programs</u> a study prepared by the American Bar Association's Special Committee on Crime Prevention and Control's Task Force on Federal Heroin Addiction Programs.	,51	13.75	44.67	53.17	76.66				
LEAA Demand Reduction/Supply Reduction obligations Provided by SAODAP	1.5	17.3	49.2	44.9	57.7	80.58	80.46	75.97	

Source: The Select Committee on Narcotics Abuse and Control.

Because we do not know how the Congressional Budget Office, the Office of Drug Abuse Policy, and the American Bar Association arrived at their figures, we cannot account for the discrepancies noted. As stated at the June 8 hearing, the LEAA figures do not represent all awards made because of reporting delays and omissions. While discretionary award totals should be accurate, block subgrant data has been provided by the states only on a voluntary basis. Thus, the computerized data base accounts for only 83 percent of the obligation authority for fiscal years 1972 and 1973, 77 percent for 1974, 79 percent for 1975, and 78 percent for 1976. The fiscal year 1977 data is quite incomplete since states are only beginning to report on their awards for this year.

The data provided by the organizations other than LEAA appeared to be higher than that submitted by this Agency. It might be assumed that, in order to account for all fund obligations, their figures were extrapolated from the incomplete information available.

The information submitted by LEAA accounts for only those programs which are primarily related to narcotics abuse and treatment. Many other projects may have a narcotics component but would not be reflected in the reported figures. It would be misleading to try to provide an "educated guess" as to funding levels which could not be supported by hard data.

Mr. RODINO. What I would like you to bear in mind, Mr. Gregg and Mr. Flaherty, is that even if this is not totally accurate and there may be some discrepancy, wouldn't this suggest that drug-related crime is falling off and there is decreasing need for the expenditure of funds to effectively combat drug-related crime?

Mr. FLAHERTY. Mr. Chairman, there is that suggestion in there, but I think I would also, while Mr. Gregg is going to make a more comprehensive study of these figures, point out a few things. The LEAA budget has been dropping off in recent years. It hit a high of something over \$800 million, and it has gradually been decreasing over the recent years. What I have noticed in the short time I have been in the Justice Department is the many other demands made on LEAA by courts, by the correction system, and so that the LEAA awards have become much more competitive in the entire criminal justice area with corrections, courts, making many, many demands on the budgets, probably of State block grants particularly.

Mr. RODINO. Referring again to that same table, even accepting the figures provided by LEAA, LEAA subgrant awards, block grants and discretionary awards for narcotics and dangerous drugs. I am amazed to note that in 1972 \$71.34 million was spent, and in 1977 \$12.12 million.

Mr. GREGG. Mr. Chairman, the 1977 figure is affected by the fact that many of the States have not yet awarded all their 1977 funds, while others have not fully reported on obligations and expenditures. As you may know, States have 3 fiscal years in which to expend LEAA funds. Thus, a more accurate reflection of the trend would be to go back to the 1975 figures. The 1977 figures will increase as we receive reports from the States regarding their block grant expenditures and as we further obligate funds.

Your point that overall expenditures are going down is correct. Several factors account for this. Mr. Flaherty has referred to two very significant factors. A third is a matter of policy involving LEAA and the Special Action Office. This policy has been continued through executive policy. NIDA has been asked to take on a greater responsibility for community treatment, while LEAA's role has been more related to law enforcement and correctional activities. Part of that trend is thus also a result of greater responsibility in

the treatment area by NIDA. Additionally, in 1978, and to some extent, in 1977 responsibilities have been shifted from LEAA to the Drug Enforcement Administration for some of these programs. LEAA's role, of course, is generally to develop new programs or project ideas, more innovative approaches.

Some of these approaches have proved worthwhile. Responsibility for drug enforcement task forces has been shifted from LEAA to DEA. In the 1978 budget the entire task force effort is included in the DEA budget and has been eliminated from the LEAA budget. That accounts for some of the declining expenditures for LEAA.

Mr. RODINO. Might it also be because State planning agencies have deemphasized drug enforcement programs in the development of their State plans?

Mr. GREGG. I would hesitate to speak for all the States. It is possible that this has occurred in some States. In other States, however, increasing emphasis has been given to drug enforcement programs.

Mr. Grimes may be able to comment on that in more detail. There is certainly intensive interest in a number of States to expand and increase their drug enforcement activities. We have very recently been working with a number of States to develop programs that will be funded by LEAA discretionary and block grant funds as well as State and local revenues. In some cases other Federal agencies are also involved in a particular project.

Mr. RODINO. We are going to recess for 10 minutes to go and answer the rollcall.

[Brief recess.]

Mr. RODINO. The committee will come to order.

Mr. Chairman.

Mr. WOLFF. Thank you, Mr. Chairman.

First, let me say it is indeed a great pleasure to have Peter Flaherty appear before us on this drug problem. I come from a combined city-suburban area. Having been mayor of a large city of this country gives you, I am sure, a greater appreciation than some of the other people that we have had in the same role that you now occupy.

I would like to know, Mr. Gregg, other than the stipulated mandate that you have, what do you really consider the role of LEAA today?

Mr. GREGG. One very important role of the Agency is providing leadership and assistance to State and local governments to help them better control crime and increase the effectiveness and efficiency of criminal justice agencies. We devote a large part of our effort to analysis, research, and evaluation regarding law enforcement approaches and techniques with the idea of improving them. We try to demonstrate the value of these techniques and approaches. We have particularly done this in the drug area.

Mr. WOLFF. I question this, Mr. Gregg. You have a total appropriation of what amount? About \$800 million?

Mr. GREGG. It is \$754 million for this fiscal year, Mr. Chairman.

Mr. WOLFF. According to the figures we have here, from both yourself and the Congressional Budget Office, you spend somewhere in the neighborhood of \$60 million to \$70 million in the narcotics

field. It is hardly an indication of interest or dedication to the entire relationship between drugs and crime. It amounts to less than 10 percent. Yet we find that street crime throughout the United States is directly related to anywhere from 50 to 70 percent, to drugs.

There seems to be a great discrepancy in the thrust, in putting your money where your mouth is. I think that this is an area that must be addressed.

Mr. GREGG. I would make several comments on that, Mr. Chairman.

As I pointed out previously, this has certainly been a high priority area for LEAA, but LEAA is not the only actor in the Federal family in the area. In fact, the lead agency for drug enforcement in the Department of Justice is DEA. The lead Federal agencies for treatment programs are NIDA and the National Institute of Mental Health.

As Mr. Flaherty also mentioned, LEAA has been in a period of declining budgets. That has accounted somewhat for the downward trend in this area.

If I may just make one other point, there is a question regarding how to account for what is a "drug program." The programs that we have reported on are ones which are focused directly on the problem of drug abusers or enforcing drug laws. A great many of LEAA's other programs which are not considered primarily drug programs do impact on drug offenders or drug abusers. For example, some of our antifencing projects or so-called "sting" projects result in the arrest and disposition to jail, prison, or treatment programs of drug addicts. Our career criminal program, for example, though focusing on prosecutors, does involve people participating in major drug conspiracies or other illicit activities that would not necessarily be reported as a drug activity. So these figures represent only a part of the total LEAA effort in this area.

Mr. WOLFF. The point I would like to make is the fact that you indicate a reduction in your budget. That reduction has been, talking to the Attorney General, about \$100 million—some 13 percent from this fiscal year's budget—and from the figures that we have before us, both your figures and those supplied by the Congressional Budget Office, the indications are that perhaps 30 to 40 percent of that reduction came in the area of your narcotics-related programs.

Now, you are the only agency really in the law enforcement field that channels money to the States, the cities, and the local governments. We need a greater emphasis in this area. The problem is much greater, I think, than some of the executive departments realize in that the figures that are bandied about are inconsistent with the immensity and enormity of the problem. It is only because this committee and its various members have been going into this question that it has been discovered that totally disparate agencies are involved in this total structure and the fact that such inconsistencies do exist between agencies.

Mr. FLAHERTY. Mr. Chairman, I certainly agree with you on the importance of the relationship that exists between street crime and drug offenders. There is no question, coming out of the cities, you see this and the figures dramatically support your stand. I am

trying to come up with an answer on the figures that you have presented on the decline of the amount of money being expended on drug programs in LEAA.

Looking back on the history of LEAA when it originally started out, which isn't too long ago, 1968, 1969, the high amount of money that went into LEAA then for law enforcement assistance on the local level was for street crime activities, and I think that during more recent years you have a greater share of demand coming in and that LEAA has been expanded to include the entire system of criminal justice, not just street crime. When you relate it to street crime you have a big portion of it going into drug abuse controls.

Now, however, LEAA is considered to be an umbrella for the entire area of criminal justice, and the courts are making more demands on State planning agencies for a greater share of the funds. Correction institutions are making a greater demand for a share of LEAA funds than they did 4 or 5 years ago. Juvenile justice is getting a much larger share of LEAA today than it got several years ago.

So while it looks on the face of it that drug money is going down, I think you have to really look into the juvenile justice programs which are expanding and getting a greater share of LEAA funds. I am sure many of those do tie in with drug abuse controls, and some of the programs in the correctional institutions are tied in with the drug controls.

In addition to that, you cannot look at LEAA, I suppose, as just a drug control institution because DEA eventually has been picking up many of the programs that are started permanently. Their budget is going up rather than down in the drug abuse area.

I just point these things out as a possible rationale of the figures which I sympathize with. I agree with you, and with Chairman Rodino, that street crime is very closely related to drug abuse.

Mr. WOLFF. Mr. Chairman, I have one last question and a follow-up to this question. Mr. Gregg, what sort of oversight do you have on your programs?

Mr. GREGG. It depends somewhat on the area of funding. For example, research is a centrally funded program. We have a monitoring system that applies to all of our research grants. That monitoring would be conducted by our National Institute of Law Enforcement and Criminal Justice. Members of my staff and I would provide oversight of that type of activity.

In the enforcement area, the monitoring of discretionary grants programs would generally be provided by staff of our regional offices and ultimately audited by our audit office. If the programs are funded under their block grant program, the State planning agencies have major responsibility in oversight, monitoring, and reporting. We have an overall monitoring program that brings to program offices the result of monitoring activity. If a shift in direction or some major problem indicates a need for corrective action, that would be called to my attention. We would take the steps necessary.

Mr. WOLFF. Could you furnish this committee some examples of what your monitoring operation has been able to oversee?

Mr. GREGG. Yes, sir.

Mr. WOLFF. And develop some inconsistencies that have developed within the program?

Mr. GREGG. Yes, sir, we would be happy to.

[The information referred to is in the committee files.]

Mr. WOLFF. Thank you.

Mr. RODINO. Mr. Beard.

Mr. BEARD. Thank you, Mr. Chairman.

I think in your opening statement it was mentioned the LEAA was coming up or developing innovative new programs, that was one of the statements referring to innovative new programs. Could you tell me what the innovative new programs are?

Are there any in the drug-related field, more specifically? I think you touched on a couple of them.

Mr. FLAHERTY. We mention TASC and TRAP.

Mr. BEARD. Is there any regarding the law enforcement aspect of it, as far as the apprehensions aspect or anything along these lines?

Mr. GREGG. Those that I would characterize as most innovative have been in the areas of treatment, diversion of offenders to treatment—both preincarceration, postincarceration—and alternatives to adjudication.

In the law enforcement area, I will ask Mr. Grimes to comment as well.

Some of the greatest problems dealt with have been effective coordination in law enforcement areas, proper assignment of roles among Federal, State, and local agencies, and the sharing of information and intelligence in a way that makes those operations effective.

"Innovative" may not be the best word to use. "Improvement" might be a better way of expressing it. Certain improvements in the way that criminal justice agencies, enforcement agencies, work together will achieve better results. In that respect, we have funded a number of activities that would represent improvements, although perhaps not innovative because entirely new techniques are not being employed.

Mr. BEARD. Has there been any shift regarding placing more emphasis on the rehabilitation aspect of it, shift of funds toward the rehabilitation, coming away from the enforcement aspect of it?

Mr. GREGG. Recently, the shift has been in the other direction. We continue to sustain at a fairly high budget level the TASC program, which takes drug addicts that might otherwise go to jail or prison and diverts them to treatment as an alternative. We are experimenting with a new program which will try to identify drug users in prison settings and at some period of time before release, perhaps 6 to 9 months, help them in the transition to community-based drug programs.

We have transferred, as I mentioned, the DEA task force program, which is an enforcement effort focusing on middle-level drug traffic, to DEA. In terms of larger organized efforts such as the need to improve and coordinate intelligence and communications, we might want to do more in the future than we have in the past.

Mr. BEARD. Does LEAA provide buy money for the local law enforcement agencies?

Mr. GREGG. Yes, sir, we can do that. We do not do that in every project by any means, but we do have the authority in certain situations to provide buy money.

Mr. BEARD. This has been one thing at the grass roots, there are always people wishing there were more, but they feel this is one of the most effective tools they have, the buy money; especially in my rural areas they just do not have it themselves.

Mr. GREGG. It is absolutely essential in large criminal conspiracies, in the drug area, as well as the organized crime area, to have sufficient amounts of these funds. There is just no way to penetrate some of these activities without it.

This has been of great value to State and local governments.

Mr. BEARD. I would like to ask your personal professional opinion as to a recent hearing we have just held, Mr. Flaherty, and this may be somewhat out of line as to the LEAA, but I would like your opinion. Do you feel decriminalization of marihuana at this particular time would help ease the drug problem, would help—

Mr. FLAHERTY. It is hard for me to say whether it would ease the problem.

The reason for the administration's position on it basically is that we ought to be involved more with the heavy traffic in drugs rather than with the 10 grams or less, that that is a matter for State and local governments to handle and they can do a more effective job than we can at the Federal level. So it is really a matter of letting the States and local governments project what they can as to their own marihuana laws.

We just feel that on the Federal level, with the limitations we have imposed on us, we ought to be after the heavy offenders.

Mr. BEARD. In other words, you just gave me your personal opinion also?

Mr. FLAHERTY. Yes.

Mr. BEARD. One more question.

In 1974 the LEAA established a program for narcotic drug abuse within the Office of Regional Operations for the purpose of providing a coordination and tight type of operating review of the LEAA's drug program. Have you seen any satisfying results from that? Are there results from it?

Do you have anything to report as to the establishment of that particular unit?

Mr. GREGG. At the present time we have a lead staff member responsible for coordination of our activities in the treatment area. We have another individual responsible for enforcement activities.

Mr. Grimes, as the supervisor of both of these individuals, is responsible for the overall coordination of these activities, with the exception of research. Research is a responsibility of our research institute. Mr. Grimes works also closely with that staff on their activities.

He can best comment on the effectiveness of this arrangement.

Mr. GRIMES. Some of the most effective results that we have seen since we established the office is the close integration of enforcement and treatment programs. We have tied our treatment efforts into the criminal justice system.

As was mentioned earlier, we were able to identify areas that need coordination, especially in the enforcement area, and have tied

together statewide narcotic enforcement units, statewide information systems, and multi-State narcotics intelligence units all together now. We have achieved a rather significant pattern of coverage. The entire west coast is included, as well as the gulf coast all the way to North Carolina.

Mr. BEARD. What has been the percentage of increase in funds allocated to this program desk, coordination, say from 1974 to now?

Has there been a growth pattern? Has it grown? Have there been proper resources allocated to insure that it just is not a title that sits there and looks real good, real nice, but yet really is not accomplishing anything?

Mr. GRIMES. In 1974, approximately \$13 million allocated from discretionary funds was handled by that program desk.

Mr. BEARD. How many people in 1974 were involved in the program?

Mr. GRIMES. There is one person full time in enforcement and one person full time in treatment.

Mr. BEARD. All right; that was 1974. How many people now are involved?

Mr. GRIMES. The same amount of people right now, although additional authorization—

Mr. BEARD. One person is involved in the coordination, the whole ball game?

Mr. GRIMES. In our regional offices 10 people are involved in the enforcement, pursuant to an interagency enforcement agreement with DEA. They provide one special agent for each of our regional offices.

We intend to allocate additional personnel providing we get the necessary staff next year.

Mr. BEARD. Thank you, Mr. Chairman.

Mr. RODINO. Mr. Mann?

Mr. MANN. Thank you, Mr. Chairman.

Mr. Gregg, I see in your statement the national institute is also a division of LEAA responsibility for information dissemination. Then you refer to the library, and so forth.

Mr. GREGG. Yes, sir.

Mr. MANN. One of the problems that we have had with LEAA during its existence is its failure to evaluate programs and its failure to disseminate information concerning success stories, no matter whether in treatment or enforcement. The mandate or the additional language included in the 1976 act was intended to emphasize that point. You obviously recognize it.

Of course, I do not acknowledge that LEAA did not have sufficient clout to carry out that mandate prior to that time, but I am curious as to just what house organ or other method of dissemination you have arrived at. This refers to the fact that people can register to receive periodic information. We question whether or not some small rural county sheriff's office is going to register with you. What system of dissemination do you have, an automatic system?

Mr. GREGG. Yes, sir, there are a number of ways in which this occurs. A great many local law enforcement officials do, in fact, register with this clearinghouse. We have a system whereby we make available the service to virtually every criminal justice

agency and top official in the country. They indicate certain areas of particular interest and then the information clearinghouse routinely sends listings in the areas they have indicated. If they want the full document, that will be provided. This enables them to receive particular reports, analyses, and documents.

Our technical assistance program utilizes State planning agencies and regional offices. Each State develops priority areas for technical assistance, defines needs, and transmits them to our regional offices. The regional offices in turn assure that relevant information, including consultant service if that should be necessary, is provided.

If we determine that there is a broad need for a particular kind of information, we utilize training funds and develop a program that then can address the need in depth using 3- or 4-day training sessions. All the necessary relevant information and literature in the subject area is provided.

In addition, we occasionally develop state-of-the-art papers. They go under several names. One we call a "prescriptive package." It tries to bring together the best thinking with respect to a particular kind of problem.

In the early days of LEAA, at least 4 or 5 years ago, a prescriptive package was prepared on how to set up a methadone treatment program. We have since developed documents on how to organize a multiagency narcotic control unit, bringing together the best thinking in the country. We have one about to be published concerning narcotics and alcohol treatment and rehabilitation in institutions. This has traditionally been a very difficult area to deal with.

We still do not have very good knowledge about what the most effective programs are within institutions. This gives some guidance on experience around the country, some of the approaches that seem to be effective, and some of the conditions necessary in these institutions in order to have any kind of successful program. Those prescriptive packages are made available directly to people who would have an interest with respect to the collection of evaluative information and data. The amendments of last fall in our reauthorization legislation will also lead to substantial improvement. The agency now clearly has authority to not only require the collection of information, but the provision of that information to LEAA for evaluative and other purposes. We have utilized the authority provided by the Congress last fall to amend our guidelines, to include a special condition that information must be provided. We are in the course right now of developing standardized formats to provide the specific information that Congress has required under section 519 of the Crime Control Act.

Some of this information will be relevant to narcotics and drug problems. It will be integrated into the other information efforts that I have referred to.

Mr. NELLIS. Could I ask Mr. Gregg, these guidelines that you speak of as going to the States in order to enable them to cope with the reporting requirements under the new amendment, have they been prepared?

Mr. GREGG. At this point we only have imposed a general condition, making clear that, as a result of the amendments, the necessary data and information must be forthcoming. Our staff is cur-

rently field testing some of the forms that will be necessary to acquire this data in a way that we can conveniently and effectively aggregate it; that effort will probably take 2 to 3 weeks.

When those forms are developed, I anticipate writing a letter to the governor of each State, pointing out some of the changes in the law, and asking their cooperation and that of SPA directors in assuring we get this data collected in the best way. We desire quality and efficiency so as to respond to both the requirements of section 519 and other information needs that we have with respect to evaluating our program.

Mr. NELLIS. With the permission of the Chair, I would like to ask you, Mr. Gregg, to furnish the committee with copies of the guidelines and also a copy of the forms after you have developed them in the field.

One of the problems we have had is trying to evaluate the evaluating function of LEAA narcotics abuse, which has been very difficult because there has been no reporting requirement.

Mr. FLAHERTY. We will be happy to supply that.

[The information referred to is in the committee files.]

Mr. MANN. The state-of-the-art papers to which you refer seem to me to be an excellent idea, if you have the capacity to amend by addendum for new initiatives or innovative successes. I am curious as to their distribution.

I would feel automatic distribution to all law enforcement agencies would be appropriate, whether requested or not, certain portions of the state-of-the-art information, such as organization of a drug force, or enforcement rules, rather than to depend upon them to request them. I realize that there is a slight expense in that kind of distribution, but it strikes me as being worth while.

Thank you very much.

Mr. RODINO. Mr. Guyer.

Mr. GUYER. Thank you, Mr. Chairman.

Sorry I did not get in on the first part of the testimony. I have been trying to play catch-up ball, reading the reports.

This probably is not the proper atmosphere in which to refer to the thing I would like to suggest, but it seems we have covered the field of trying first of all to curtail the source, we have gotten into the interdiction of the traffic, we have touched on arresting the offender, easing the caseload in court and having a hastier assignment from the jail to a proper facility that winds up with treating the patients.

Now, where do you finally end up through all of those avenues? What would you say is the track record for permanent rehabilitation; when you get through all of these channels, you come back to an individual?

Apparently from your studies there has been a lot of recidivism; if everything worked properly, what is the outcome?

Mr. FLAHERTY. It is very difficult to give you any realistic figures on the complex question of whether or not you can effectively rehabilitate drug offenders to the point where you will stop recidivism, Mr. Guyer. We—

Mr. GUYER. Do you have a ballpark figure? Have we had a record like over a 20-year period? Do you get 10 percent?

Mr. GREGG. We have some evidence from our TASC program, which we are more intensely evaluating now, that it has cut down considerably on commission of crimes while offenders were under the supervision of the program. Only 12 percent were rearrested during that period. Of course they only remain in the program for a certain period of time.

The difficult issue is what lasting effects these programs may have. That depends on expectations about success.

Dr. Jaffe, who was the head of the Special Action Office, liked to use an example of a heart patient who had a serious attack. We should not expect to turn him into a marathon runner shortly after his attack. We should not even expect that he would not be on some kind of medication the rest of his life or have some kind of problem.

If we think of success in terms of total abstinence, then I doubt we will ever have much success because it does not seem that is a realistic option for many people in our society. If our expectations are less, if we think that less drug use is a measure of progress, or that different drug use is a measure of progress or success, then it seems we can expect some of these programs to have an impact.

Mr. GUYER. I think your programs have proven that you have had a better result than if you were not to have the program. We do know there is relationship, for example, with availability of the drug. When we had the other hearings, Mr. Wolff brought this out in the committee findings, that when you had the Turkish cutoff, Golden Triangle, whatever the source, there was a definite reduction of those on the street who were addicted. Of course, a lot of it was exploratory, experimental, say what you will.

In the treatment itself, do we find that methadone and some of the other substitute remedies are just introducing another habit or have we found any good ones as a replacement? What would your thinking be on that?

Mr. GREGG. Sir, I am not the best person to comment on that. I have been away from that field for some time.

Methadone, of course, is an addictive drug. However, with its use, a person is often able to function reasonably well in society. This was impossible while pursuing criminal activity or other activity such as purchasing illicit drugs. At least it has that value.

Again I am not an expert at all on this, but I understand that progress has been made in developing longer lasting or longer acting drugs similar to methadone which will probably enhance the value of this particular treatment modality.

Mr. GUYER. I think at our level we do receive a lot of inquiries from concerned people who want to know more about the subject. Of course I would certainly be in favor of greater allocation of funds for the educational preventive level, because we do know that that is a much better approach than trying to do something after it is hopeless.

In my district we do not have a high incidence of this problem, in northern Ohio, very, very few. As a matter of fact, the results—

Mr. FLAHERTY. One ray of hope has been the Narcotics Anonymous, which is somewhat analogous to the Alcoholics Anonymous, which is separate from methadone treatment. There has been beginnings here that we would hope what Alcoholics Anonymous

has done in the field of alcoholism we would be able to accomplish here.

Mr. GUYER. I am in favor of enhancing your program. The big thing we want to do here is establish priorities, so we do not throw dollars at will-o-the-wisp programs.

Mr. WOLFF. Will the gentleman yield?

I want to lend emphasis to what Mr. Guyer has alluded to on the question of reduction of supply. That deals very strongly with the area of your interest; that is to say, the enforcement area and the question of reduction on the overall supply picture.

We found that there was a direct relationship between the reduction in the number of addicted people—people who abused hard drugs—and the reduction of the availability of drugs in Turkey, and we were successful in that program. It is unfortunate that other nations pick up where we are able to achieve success on interdiction; other nations do provide the supply.

I might also refer you to the fact that when there was a ready availability of drugs in Vietnam, there was a tremendous intrusion of drug abuse into our military. We on this committee, in attempting to treat the problem from both the demand and supply aspects, count upon you to use your good offices to help us to reduce the supply aspects as well as some elements of the demand. When the gentleman from Ohio spoke as to alternatives that could be used, he again touched upon an area which I think is extremely important and that is the drug education field.

In the enforcement field, where we have found credibility as to the true impact of the drugs and the nature of the offenses that have been created, there has been an effect upon the community that is using or abusing these drugs. Therefore, again, the area which Mr. Mann touched upon in the educational area, I think is an extremely important one.

I thank the gentleman for yielding.

Mr. GUYER. You may recall when we went to Europe, my first time in the European community, we met with General Goodpaster. He testified that where the availability was not there, there was a dramatic reduction in the use, in the NATO forces, as you will recall. They were getting very good results in the armed forces at that time just by some good discipline practices.

Thank you very much.

Mr. RODINO. Mr. Evans.

Mr. EVANS. Thank you, Mr. Chairman.

One of the primary concerns that I had in seeking this job was to hopefully be in a position to do something about the problem of drug abuse and the related crime problem.

Just as a citizen, one of the problems that concerned me the most was a lack of coordination between the various drug-fighting agencies and drug-treatment agencies that are already in existence.

It would seem from the figures received from the Congressional Budget Office, LEAA, and the Office of Drug Abuse Policy, there is a great deal of discrepancy in the figures of the actual spending in the drug abuse area. There also seems to be a real lack of information regarding other drug related figures in this country. For instance, I believe, Mr. Flaherty, you said there were some 1,000 drug related deaths per year?

Mr. FLAHERTY. Some say it is even higher, Mr. Evans. That is a very conservative figure, I might add.

Mr. EVANS. I would certainly think so. In fact, I believe Dr. Bufe estimates some 432 drug related deaths in Michigan in 1974.

So it seems my concern is correct regarding the problem in trying to know exactly where we are going and what we are doing.

My question to you is whether or not there will be any recommendations made to the administration in reorganizing the efforts against drug abuse so we may more accurately determine the amount of money spent on the various drug abuse problems enabling a more accurate evaluation of these programs from a cost effectiveness and coordinating standpoint?

Mr. FLAHERTY. Well, I hope so. I certainly agree with you that the number of programs that exist throughout all the Federal agencies have to be evaluated, coordinated, and we have to get I think a better handle on it to understand what is going on.

At the present time there is a study headed up by Dr. Peter Bourne, which is attempting to do just what you have mentioned. He is looking into all Federal agencies, Justice, HEW, any other agency that is dealing with the drug program. This has been ongoing, underway now for several weeks.

I believe by midsummer, sometime in July, we may have better information for you on the coordination of all Federal programs and a report on that.

Mr. EVANS. Along that same line, Mr. Flaherty, one of the things that concerned a great deal of people in reading newspapers about the effort is a lack of cooperation between, I believe in this instance, the Customs Department and the Drug Enforcement Administration. This has nothing to do with LEAA, but it does have to do with this problem.

Do you think this recommendation will include required cooperation and revelation of activities between the departments which are dealing with this problem?

Mr. FLAHERTY. I know that they are studying the various approaches that you mentioned, about better cooperation between those governmental agencies such as INS, Customs, which deal with similar problems, such as border patrol problems. This is an area being discussed by Peter Bourne's committee.

Mr. EVANS. There is another area I would like to get into; possibly Dr. Bufe will address this in his remarks.

I am wondering from a cost-effective standpoint if the States' reporting requirements in this and all drug-related programs through LEAA will cause a substantial increase in the use of the funds allocated for administrative purposes.

In other words, will it require a larger percentage of the States' money to keep records for the Federal Government?

Mr. FLAHERTY. There is no question that to have the information would be an administrative cost, but I think it would be well worth the effort because if we do not have any information on what the States are doing, and they are not required to report, it is very difficult to evaluate what is working and what is not working.

Whatever that cost, administrative cost, it necessarily would be absorbed out of LEAA funds, but I think it is going to be worth the

effort. I do not know if we have any projection on those costs, but it should not be that much, either.

Mr. EVANS. Although it may appear inconsistent, I am asking on the one hand tell us what you are doing, and on the other how much will it cost?

One of my major concerns is whether you will request enough money to cover the possible administrative increase in cost.

Mr. GREGG. It does cost money to get information. On the other hand, Federal agencies often collect information that they do not really need. If we can be sure we are collecting the information that is truly essential, while at the same time trying to eliminate reporting of information that no one has a real use for, we may find we have some offsetting costs. Then we would not substantially increase administrative costs. We are going to look for such opportunities in the course of doing this.

Mr. EVANS. Thank you.

Thank you, Mr. Chairman.

Mr. RODINO. Thank you very much.

I have several other questions which I think need to be addressed before counsel asks some questions.

As a followup on the cooperation between the SPA's and the SSA's, single State agencies, does LEAA make any effort at all to determine whether the procedures for coordination which are established are "effective," as that term is used in the 1976 reauthorization law?

In other words, how does LEAA really insure that "effective" is "effective" rather than just rhetoric?

Mr. GREGG. Yes, sir, there are several ways that might be characterized as formal and informal.

The informal is a continuing dialog between the State planning agencies and the single State agencies. We hope that in this fashion and through the involvement of other people at the State level of government, that the most effective mechanisms can be developed.

On the more formal side, we do have a program of regular and routine monitoring of the State planning agencies by our regional offices. One area which will be considered during routine monitoring of the State planning agencies will be: What are those procedures? How are they working? What does it really mean? Is it really happening? If there are problems, those would be reported.

Mr. RODINO. In other words, you are not going to just be satisfied with the State planning agency advising you that its program is effective without actually—

Mr. GREGG. This will be subject to monitoring.

Mr. RODINO. You will be sure that it is being monitored?

Mr. GREGG. Yes, sir.

Mr. RODINO. You know we have heard about the Shallow report from time to time, which as you know has caused some confusion among those who have believed for a long time that there is some direct relationship between drug addiction, drug abuse, and crime. Of course the Shallow report seemed to suggest at least that that is not the case.

I do not know that the report was ever actually published, but I do know that it existed. I do not know what impact it has had.

Will your agency be attempting, at least, to eliminate the confusion and will we be in a position to understand whether there is that direct relationship?

Mr. GREGG. That is very definitely the purpose of our research plan.

As I mentioned briefly in my opening statement, it has been very frustrating to see a good amount of dollars go into this kind of research resulting in a very few conclusions which can be drawn. These are very important questions. A great deal of State and local funds may depend on what the correct answers are.

We hope to develop our research program so that we will be getting more definitive answers to these questions. We do not want every study to be shot down on the basis of poor methodology or poor data collection. We are very much concerned about that. We are going about in a way that will assure we will get more definitive answers than we seem to have had in the past.

Mr. RODINO. Finally, what efforts have been made to conduct a long-term evaluation of the TASC program. I believe the TASC has really produced some very beneficial results at least in the short run. Are there going to be any attempts to determine whether the findings about the short-term successes are long range and permanent?

Mr. GREGG. Yes, sir, very definitely.

We have, in fact, two efforts underway. One is part of the NIDA study that I mentioned. That will consider TASC clients as a subset of their broader followup as to the effect of drug treatment programs. We also have evaluation looking toward precisely the kind of conditions needed in order to have successful projects in this area, the management issues involved in the TASC program, and the need for supervision.

We think, on the basis of our experience with the program and some earlier studies, that this has been a very effective program. However, we want to have research that will validate our belief so we can say with great confidence that it has been worth while.

Mr. RODINO. Thank you.

Mr. NELLIS.

Mr. NELLIS. Thank you, Mr. Chairman.

I have some brief questions for each of our witnesses.

Mr. Deputy Attorney General, Mr. Evans has already remarked, and I think you volunteered on your own that there were undoubtedly more than 1,000 drug-related deaths last year. I am sure you know Mr. Bensinger has reported to this committee that in 1975 there were over 5,200 such deaths and in 1976 some reduction to about 3,900. They are now running at the rate of about 3,200.

Mr. FLAHERTY. The figure has gone to 5,000 per year, I understand, Mr. Nellis.

Mr. NELLIS. Right; that is of course a major focus of our committee, to reduce that figure; to reduce the availability of heroin, therefore reduce that figure.

Also, we have been advised by various Government agencies that our addict population is well between 600,000 and 800,000. There are approximately 150,000 in New York alone.

I think Dr. Bufo will underscore the fact that in Detroit there are 50,000 to 60,000 addicts. So we are talking about a very, very large number. We are talking about 240,000 that NIDA has in treatment alone. These are being treated, people we can keep track of.

So without attempting to overimpress you with the terrible problem we have, Mr. Deputy Attorney General, I want to ask you this question: In your department you have the lead agencies, you have LEAA, you have DEA, you have the prosecutive arm; has there been some attempt to get these agencies together in order to establish the kind of policy guidelines that will enable them to work more closely and in less fragmented a fashion?

Mr. FLAHERTY. Yes, Mr. Neltis.

I have furnished to Dr. Peter Bourne's group people from our area in the Justice Department to work on that task force, which is pulling together all of the various components that deal with drugs, not just in enforcement but in controlled substances of all types. We have people working with him right now.

You are correct that the Justice Department is involved in DEA as well as LEAA to some extent, INS, border patrol activities as well. All of this within the Justice Department, plus that which is in other departments, is now under a report-study which should be available, and we hope to have it available I would say sometime in midsummer, which is what the people we have assigned to that study group are telling us. That is a very important study that is now going on.

Mr. NELLIS. Of course this committee looks forward very much to seeing not only the plan but the results of the plan.

I am sure that you recognize, having been the mayor of a large city, how significant this type of planning at the upper levels of the Federal Establishment must be to the cities that ultimately get the burden of these narcotics-related deaths and narcotics activities.

Thank you, Mr. Flaherty.

Mr. FLAHERTY. Thank you.

Mr. NELLIS. Mr. Gregg, I want to encourage you to look at this chart, and I am going to put it in evidence, with the chairman's approval.

Mr. RODINO. Without objection.

[The chart referred to appears on page 25.]

Mr. NELLIS. We did a very careful study of the total narcotics-related obligations of LEAA and drew on several sources for arriving at these figures. One was your agency itself, another was the Congressional Budget Office, a third was a study prepared by the American Bar Association.

I would urge you to look at it to see wherein mistakes have been made, if any have been made. I think I can fairly and equitably draw the conclusion that from the expenditures reflected in this chart, up to this point at least, LEAA has steadily lost interest in narcotics-related programs.

One of the answers you gave to a question asked you by the chairman was that the States are institutionalizing their programs, that is to say, picking up the programs that you have funded in the past.

I am reminded of very poignant testimony before this committee by Mr. Sterling Johnson, the special narcotics prosecutor in New York, who is dying out on a limb because he has a backlog of 1,800 cases and no money.

My question really is this, Mr. Gregg: If a State will pick up the LEAA programs, institutionalize them so you do not have to fund them any more, why has the emphasis of the agency not continued in the areas of new and innovative programs? I can think of several that I do not see any reference to in your planning.

Mr. GREGG. I do not believe that that is really the case. There is no less interest. Amounts of dollars invested is just one indicator of interest particularly when there are awarding and reporting delays.

Some of the programs that we started 3 or 4 years ago are either being assumed by State and local governments or are being picked up by other Federal agencies. We are now back at a fairly early development stage for some new notions and ideas.

Mr. NELLIS. Could you identify some of those for us?

Mr. GREGG. Yes; for example, one program we are going to be experimenting with this coming year. We are starting off on a very small scale to see if we can identify addicts and drug abusers in prison environments 6 to 9 months before release. We will see if we can develop appropriate programs for them with emphasis on transition of those individuals into carefully supervised drug programs in the communities. They will just not walk out the prison door and get back into the problem without some supervision.

That is an important program. If it proves out, it could influence the investment of a lot of additional LEAA and other money. We are at a very early stage of that. We are planning it, and will be starting out on a limited test basis in perhaps a couple of institutions. The dollars would initially be small.

Mr. NELLIS. Mr. Gregg, has that not been a function of the TASC program? Have you not been observing that when you divert people from the criminal justice system into rehabilitative services that you might get the same research response there?

Mr. GREGG. We are hopeful that we can. In fact, that is one of several reasons for attempting this. One reason has been a reluctance on the part of some prison institutions to try these drug programs. We think that this may help in terms of demonstrating that for people nearing release there can be effective programs. Our experience with TASC has suggested that we can utilize some of the TASC concepts in dealing with this particular population.

Mr. NELLIS. Are there any other new and innovative programs that LEAA has devised in the narcotics field now that the States have begun to pick up the older programs?

Mr. GREGG. In response to an earlier question, I pointed out that we now have effective coordination, particularly in the area of sharing intelligence and joint operations between enforcement agencies.

We are experimenting in a number of States, as Mr. Grimes stated, with more coordinated sharing of intelligence and information among enforcement agencies. If that seems to go well, we may want to make a heavier investment in that in the future.

Mr. NELLIS. Are you speaking of State-to-State intelligence, State-to-city?

Mr. GREGG. It involves both. I had in mind interstate and intra-state efforts where there is sharing among a number of States of intelligence information among a number of units.

Mr. NELLIS. What about the Federal Government, are they involved? For example, the DIU unit, or in TECS, the Customs computer system.

Mr. GREGG. DIU I would place in a category that I mentioned earlier. It is something that was started 3 or 4 years ago that proved successful, and in fact was assumed in the DEA budget in fiscal year 1977. DEA now has funds in its budget to fund the DIU concept. So I would cite that as an example of a worthwhile innovation or improvement that was tested out with LEAA funds, certainly to DEA's satisfaction and proved effective to the extent they were willing to include funds for it in their own budget and use it as an ongoing technique.

Mr. NELLIS. I think you are absolutely right in making that assumption.

Mr. Gregg, one last question.

This committee, as you know, is focused and interested in narcotics abuse and control. Has LEAA ever specifically promulgated any standards for guidelines in the area of narcotics abuse and control?

I am not talking about State plans now with respect to overall law enforcement or the criminal justice system, I am talking about drug abuse specifically; is there such a document?

Mr. GREGG. The closest thing we have had to standards are these prescriptive packages that I mentioned, which try to bring together the best thinking or the best state-of-the-art information. We have not had anything that I would call a published guideline or a published standard.

Mr. NELLIS. Are you at all encouraged by this hearing to try to reach something like that?

Mr. GREGG. What we want to do comes very close to what you are suggesting. As we have greater experience regarding some of these programs, we can be much more specific in our discretionary grant guidelines about the nature of the programs that we fund and what characteristics or features they must have to be sure that they are going to be most effective.

You could call those program models, or you could call them standards. We are trying to move more in that direction as our research and evaluation improves. We can develop discretionary guidelines close to what might be called standards.

Mr. NELLIS. I hope that will happen, because drug abuse is not going to get any better without input from an agency such as yours.

Mr. Grimes, could I ask you a question about evaluation?

When you review a State plan, can you give us some idea of how you put together your preliminary evaluations with respect to criminal justice, how much to allocate there to law enforcement, how much to allocate there, what portions of law enforcement you would like the State to concentrate on?

When they bring their plans to you, do you not review them and evaluate them?

Mr. GRIMES. Yes, sir, every single plan is evaluated.

Mr. NELLIS. How do you evaluate that portion of the plan that deals with narcotic addiction?

Mr. GRIMES. In that case, the narcotics specialist in the regional office uses a procedure that we have for all State plans. The specialist evaluates that particular portion of the plan to see if, in his professional judgment, it is adequate.

Mr. NELLIS. What standards does he use to make that evaluation?

Mr. GRIMES. He essentially uses standards which have been developed by task forces and various groups that have worked on the guidelines, both experts from outside our agency and people within the agency. They use criteria which are not specific in nature but rather general in nature.

Mr. NELLIS. Are those criteria in printed or written form?

Mr. GRIMES. Yes, sir, they are.

Mr. NELLIS. Would you have any objection to furnishing those, with the approval of the Chair?

Mr. GRIMES. Not at all. I will be happy to.

Mr. NELLIS. We like to look at those, because some of the things we find in the States, for one thing, up to the point of passage of 94-503, we understand two-thirds of the States are not in compliance with their own plans. We understand you only audit 15 percent of the States so you are not really able to tell how any of them are doing.

We also understand, and I want to give this to you all at once, we also understand that in all the time you have been in existence you have only cut off one jurisdiction, and that is poor old D.C., for failure to comply. You have lots of failures to comply, but you have not cut anybody off.

Mr. GRIMES. The District of Columbia failed to comply in more than just the drug abuse or drug treatment programs.

Mr. NELLIS. I am sure they failed to comply in a lot of other areas as well.

Mr. GRIMES. We have done a rather intensive review of the drug components of all comprehensive State plans and your statement regarding "two-thirds not in compliance" is in a very strict sense, noncompliance. They fall in the continuum of not satisfactory—

Mr. NELLIS. Do you make a distinction between strict compliance, strict noncompliance, and not satisfactory compliance?

Mr. GRIMES. Yes, we certainly do. In many cases inadequate information is transmitted to us. Upon receipt of additional information, we found they were in compliance.

In addition, we have placed special conditions on all of the plans that were in noncompliance. We attempt to bring them into compliance in 90 days. Subsequent to that, we may have had some problem with special conditions, and we found that really we could not hold certain States to a special condition. Now, though, we do have all States under a condition that will bring them into compliance.

In addition, we are providing models to show the States in which program areas they need to improve their enforcement and treatment.

Mr. NELLIS. Mr. Grimes, your only sanction it seems to me is to cut off a State that is in noncompliance, is that correct?

Mr. GRIMES. Only sanction?

Mr. NELLIS. Yes; the only remedy you have for correcting that situation.

Mr. GRIMES. That is the final sanction, not the only one.

Mr. NELLIS. What are the other sanctions? Can you withhold funds?

Mr. GRIMES. We can withhold funds, we can divert funds, we can stop funding of new programs.

Mr. NELLIS. Have you ever done any of those?

Mr. GRIMES. Yes, sir, we have done all of those.

Mr. NELLIS. In the various States?

Mr. GRIMES. Yes.

Mr. NELLIS. Could we have the review for the committee's records of those States where you have acted in that manner?

Mr. GRIMES. Yes, sir.

[The information referred to follows:]

Each year, LEAA reviews comprehensive plans submitted by each state for utilization of Part C and Part E block grant funds. Once a state's plan is approved, it receives an allocation of funds based on its respective population. The LEAA review determines compliance with statutory and guideline requirements. Where a plan, or parts of a plan, are found not in compliance, the Agency may request revision, special condition the use of funds, withhold funds, or reject the plan. In the great majority of cases, the latter, more drastic remedies are not necessary to assure compliance.

The committee has in its files a summary of reviews of 1977 comprehensive plans. The summary indicates instances where aspects of the plans were found not acceptable, and steps taken to correct the deficiencies noted.

Mr. WOLFF. I would like to know if you have any other remedies. For example, if you find diversion of funds for other uses—and I am not talking about noncompliance but rather about the actual diversion of funds for perhaps an almost illegal fashion—do you have any record of any States or organizations that have used funds in this fashion?

Mr. GRIMES. We have had individual cases that have been turned over to the appropriate authorities where there was illegal use of funds. Adjudication proceedings have been initiated. More frequently, we find unallowable expenditures where a grantee said he was going to expend funds for one purpose, but diverted them to other areas.

Mr. WOLFF. Have there been any prosecutions on illegal use of funds in this program at all?

Mr. GREGG. There have been, particularly in the earlier period of the program. I can give you a list of those incidents.

Mr. WOLFF. Thank you.

[The information referred to is in the committee files.]

Mr. WOLFF. One final point while I have the time from counsel.

This question of discrepancy in our figures and your figures is something which I think must be reconciled. With the permission of the Chair I would like to make a request that the agency furnish for the record a more accurate picture of what the real reflection of the facts are, and if we can, where these figures are inaccurate?

Mr. GREGG. Yes.

[The information referred to follows:]

LEAA must stand by the expenditure information submitted to the Committee at the June 8 hearing. While some slight revision might result from adding in awards reported since the hearing, the difference would not be significant. These figures are, of course, subject to the limitations noted in the response to Item 1, above, as well as those indicated in testimony before the Committee. It should also be pointed out that the data requested by the Committee is difficult to compile. LEAA's computerized system does not utilize the same funding categories as requested by the Committee.

It was, therefore, necessary to utilize judgement in placing certain types of programs in various categories. Because it is not possible under the system used to identify projects as purely "drug research," "treatment," "education," "training" or other categories, some overlap in reporting also resulted. Many projects fit into more than one narrow category and would be reflected in the data in several instances.

Mr. WOLFF. Thank you.

Mr. RODINO. This is of course strictly related to drug-related programs.

Mr. NELLIS. I have a final question.

Mr. RODINO. I would like to get to Dr. Bufe.

Mr. NELLIS. I will do it in just a minute.

Mr. Gregg, I think you stated earlier that the narcotics specialists in the LEAA regional offices are DEA officials, special agents?

Mr. GREGG. Yes.

Mr. NELLIS. How are they in a position to evaluate treatment components in State plans? The special agents I have met are excellent in law enforcement, but I do not think they are experts in treatment areas.

Mr. GREGG. That has been an issue. We have in a number of our regional offices other professional staff that have some background in this area. In some of our regions, the corrections staff, for example, is very experienced regarding projects like the TASC program or other programs for treatment in institutions.

Mr. Grimes might better comment on this. It is my impression that, as these people stay with LEAA for awhile, though their real expertise and background is in enforcement, they become interested and informed in these other areas. I would certainly not say that they become expert because there are not very many experts in the country in some of these fields, much less in our regional offices.

Mr. NELLIS. People with NIDA would disagree.

I think if you ever said to Dr. DuPont that DEA agents could become experts in treatment, he would have——

Mr. GRIMES. As a matter of fact, our correction specialists in the regions review the treatment programs. They have done studies that reveal the one-third/two-thirds compliance issue that you raised before, sir.

Mr. RODINO. Mr. Frey.

Mr. FREY. I apologize for being late. I have two other hearings going on the breeder reactor.

I have one question. In the statistics that LEAA puts together, do you have any breakdown on the number of individuals associated with organized crime that we have issued a warrant for that have either posted bail and skipped or just skipped; second, the conviction record of those in organized crime?

We were told a while back that one out of three identifiable with organized crime are put on probation. Can you either testify to that now or put that in the record?

Mr. FLAHERTY. We do not keep those figures in LEAA, but it is quite possible that DEA may have figures in that area, and perhaps we could help in that sense with DEA, finding if they have such figures.

Mr. FREY. Fine, thank you.

Mr. RODINO. Thank you very much, Mr. Flaherty and Mr. Gregg, Mr. Grimes.

We will now hear from Dr. Noel C. Bufe, Administrator of the Michigan Office of Criminal Justice Programs.

Dr. Bufe, we know you have a prepared statement. You may proceed to present it. I suggest that you might summarize it. We will insert this in its entirety in the record.

**TESTIMONY OF NOEL C. BUFE, ADMINISTRATOR,
MICHIGAN OFFICE OF CRIMINAL JUSTICE PROGRAMS**

Dr. BUFE. Thank you, Mr. Chairman.

I will proceed to do that. Because of the lateness of the hour I will just touch on the highlights and then be available for questions.

The first part of the testimony deals with a statement of the problem in a number of different dimensions. In the light of the discussion this morning, and knowing of your interest in the area, in describing the problem I would call your attention to the text because we have attempted to measure it in a number of different ways. The bottom line, in that section of the presentation, acknowledges the seriousness of the problem in our State. We proceed in the testimony to develop the response that our State has developed in regard to the narcotics and drug abuse problem, and attempt to point out the comprehensiveness of our response and to make a point that we feel that no single remedy is the answer, and our program thusly has been developed across a broad range of program activity.

Our efforts at the very beginning were designed to institutionalize much of the startup work that LEAA made possible. I think that was in compliance with the intent of the program which was to provide seed money for important things to be done, and for State and local governments to pick up then on the good parts of the program.

I think we have demonstrated good faith in that regard, and our testimony points to the institutionalized components of the program that are ongoing now as a result of LEAA.

This speaks to the question of the committee members about why it appears that drug investments of LEAA are so low. There is absolutely no way we could have the program today that we have in the area of narcotics and drug abuse had not the State and local governments institutionalized the important parts of what LEAA was able to start.

For example, in the treatment area alone we are spending over \$20 million; we don't get that much through the total LEAA program in Michigan for all the work that has to be done in criminal justice. LEAA was very important in starting something, and the State and localities have now picked it up.

We go on to state that there is still much more that could be done. I think the committee is interested in this. I think we have to do a better job of telling you what your drug program is in the States. I don't think there is any question about that. But there is much more than can be done, and the bottom line of the testimony gets to the point of the funding levels of LEAA.

We think we have been responsible and responsive to not only this problem but others, but we cannot continue to do the innovative and important things that have to be done if the support is not forthcoming.

I would point out, as I did in the testimony that I prepared, that under the reauthorization act of 1976 we do now have the authority to do more of the evaluation and monitoring kinds of things that you discussed this morning with the use of action moneys. I would point out quickly that at the same time that this will give us important information, it does cut into use of action money to meet the street problem.

I believe the material in the statement tells a story of how our State has gone about programing activity to deal with the narcotics and drug abuse problem.

If we assess the harm and loss caused by drugs, which we attempted to do through the testimony, the expenditures are well worthwhile and we obviously feel they should be continued. We will continue funding local projects for narcotics investigation as long as they are within local and State priorities and meet operational guidelines and dollars are available.

Programs we have funded have been continued almost totally with local funds, in some cases not to the extent that they were started with, but in all cases the effort was continued.

We must also seek to better educate people toward less abuse of controlled substances, whether alcohol, pot, or heroin. So whether we support enforcement, treatment, or education programs, sharpened by what evaluation has taught us, we feel LEAA support is vital and necessary to continue our efforts.

This leads me to an urgent recommendation. If this Congress adopts its current recommended level of funding for the LEAA program, we will be 25 percent below the 1976 level, and 20 percent below the 1977 funding level, which is the current year. We need Federal aid to support promising concepts demonstrated over the past 8 years, and which I have attempted to highlight.

Drug investigation is just one of many areas that will suffer if the cuts are approved. It must also be noted that the Crime Control Act of 1976 added substantially more requirements for offices like the one I am a part of. More and more of our time, money, and effort goes to preparing reports and filling out questionnaires. This seriously impacts our performance of the basic mission, which is to get the action on the street.

At the risk, Mr. Chairman, of skipping over parts of the testimony that are of particular interest to you, I think I should close in light of the hour and thank you for this opportunity to be with you and share views on the LEAA program and State and local involvement. I offer at this time to answer any questions.

Mr. RODINO. Thank you very much, Dr. Bufe.

Doctor, we have heard the previous witnesses mention the TASC program and the way it has worked, and it seems to have met with a great deal of approval. I notice that in your prepared statement you also point out the success of this program. Do you feel that the funding that has been provided in that area, and of course as I see from your statement LEAA put \$800,000 into TASC in Detroit, do you think first of all that that amount of money was well spent when you consider the results of TASC?

Dr. BUFE. I think it was a very important commitment, and I think it was money well spent. I think we could challenge that every dollar was or was not expended effectively. This was a learning experience. I think we have learned something very important from it. The testimony goes on to suggest that the recidivism rate as a result of that involvement has improved. That is knowledge we have gained out of it in addition to the good that the individual people received as well as society generally.

Mr. RODINO. How would you evaluate the program as compared to others that have been tried?

Dr. BUFE. In terms of the bottom line, what we have done to reduce recidivism, I think it has been quite effective. I think we have had successes in terms of management that might even be better, but here again this was a startup kind of activity in which we learned from it, and I think it was a good investment.

Mr. RODINO. Have you any idea at all as to the percentage of those who didn't go back into crime, those who were helped by the TASC program?

Dr. BUFE. My testimony, which I will read to you, says that recidivism among drug addicts prior to this program was 32 percent. The rate for those probationed since the program started is 17 percent. And I think that is a considerable finding for such a short time with such a small investment.

Mr. RODINO. Let me go to another area which has been of considerable interest to me and many others and, unfortunately, hasn't been addressed as I think it should be addressed because of the magnitude of the problem and it relates to women. I have been gathering data and have been finding that, unfortunately, there has been no attempt to specifically address the problem of women in the area of drug abuse, alcohol, et cetera. Yet I find that the statistics, the data, have shown a tremendous increase in addiction in this area with a concomitant increase in crime. What programs specifically targeting treatment of women and minorities have been developed in your State?

I would like to point out that in 1975 I sponsored an amendment to the Drug Abuse Treatment Act which focused attention on this problem and urged that there be more emphasis given to this problem. Can you tell me what has been done in your State?

Dr. BUFE. I think what I would like to do is reserve a reaction to that, and I will write it to you, but it is my impression, because I have been involved in the development of some of these programs, that we make no effort to discriminate in terms of design of the program for either women or men, but I would want to verify this.

My impression, Mr. Chairman, is that they are being attended to equally. I sense the concern you have about the increase in female

involvement with crime and with these drug abuse problems. I feel quite comfortable, because I have seen women involved in our programs onsite and I feel quite comfortable we are being responsive equally to both sexes, but I will verify that. It is a good question.

Mr. RODINO. I appreciate your being frank about not being able to give me an immediate response. I would, however, appreciate receiving your thoughts on this problem.

Dr. BUFE. I will.

[The information referred to follows:]



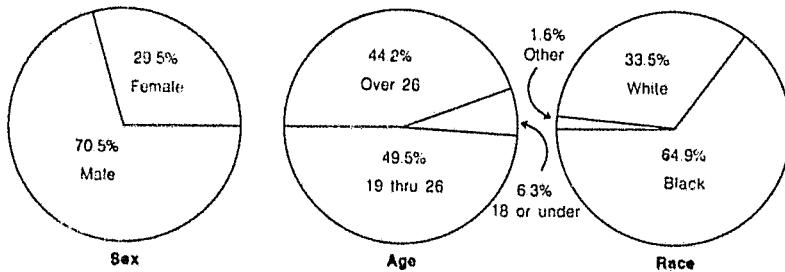
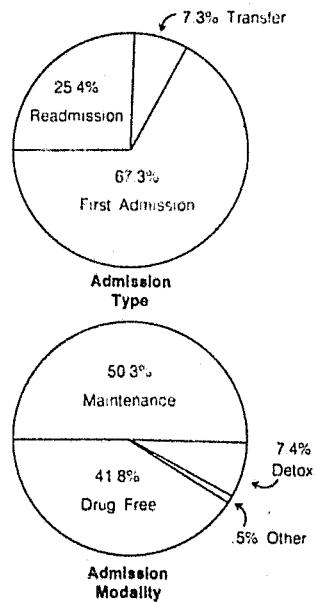
Epidemiological Report

The Client Oriented Data Acquisition Process (CODAP) is a client monitoring system required for all drug treatment programs receiving federal dollars. CODAP was developed by the National Institute on Drug Abuse (NIDA) and implemented in Michigan during October of 1973.

OSAS has operated the CODAP system for three years. However, the CODAP data was not available until March, 1976 when NIDA began providing OSAS with a computer tape. While this data does not include all drug treatment programs in Michigan, our estimates indicate that the data represents approximately 63 per cent of the total number of clients receiving drug treatment in Michigan.

During 1976, OSAS has published three reports using this data. These reports were sent to all licensed programs as well as the Advisory Commission and Coordinating Agencies. OSAS intends to produce approximately 12 reports during 1977.

The charts and graphs shown on pages 29 thru 34 represent 8,984 clients who were among those treated during January through September, 1976.



detroit house of correction

the forgotten offender

Prisoners are often referred to as forgotten people. If that phrase fits any group of prisoners, it has been the female offender. Little is really known about her; research has traditionally been centered on the male offender because it is he that fills most prisons and parole and probation caseloads. Because of the relatively small number of women committed to corrections systems throughout the nation, society has never been forced to look at their needs, their housing, their treatment.

Only recently, with increasing awareness of all women's problems and the growing crime rate among women, has the female offender begun to receive some attention.

In Michigan, concern for the fate of women offenders has been steadily growing in the public and private sector. Concern was illustrated in the December, 1975, takeover of the Women's Division of the Detroit House of Correction (DeltCo) by the state's Corrections Department.

Previously run by the City of Detroit, this 50-year-old prison in Plymouth Township is so rundown that maintenance is a losing battle. Although its cottage-style arrangement is probably more humane than a cell block in some of the older male institutions, the prison has become almost counterproductive because of its condition.

All women convicted of felonies in Michigan are sent to their institution. In May of 1976 the division housed 208 women felons and 75 misdemeanants. The average number of women felons at DeltCo

Female offenders have special needs -- particularly in the area of medical care -- that male prisoners do not. Although improving, medical care at the Women's Division of the Detroit House of Correction is still considered inadequate.

**DETROIT HOUSE OF CORRECTION,
WOMEN'S DIVISION**

P.O. Box 411, Plymouth, 48170. Phone (313) 479-4800. Takeover from City of Detroit by State in December, 1975. capacity 14/16, 312, average pop. 1026, 201, age limits 17 and up.

in 1975 was 208. Jurisdictions which sentence misdemeanants to the institution pay to the state the per diem costs of their housing.

Besides the physical condition of the institution, treatment programming for the women prisoners is extremely limited, particularly in vocational education.

Some improvements in all areas have occurred, however, since state takeover.

Basic remedial education, preparation for the General Education Development test and high school completion are offered by an enlarged educational staff at the institution. The business office education program has been expanded.

College credits can be earned through a program offered at the institution by Schoolcraft College, Livonia. Usually ten to 25 women are participating at any given time. Some residents audit the classes without credit.

In the area of vocational education the options are limited but expanding. The most substantial program involves the institution, Schoolcraft College and the Plymouth Center for Human Development.

Qualified women can learn to be nurse assistants, child care workers and teacher's aides in this program which is under the direction of the college. Trained women prisoners work with the blind, infirm, physically and mentally handicapped patients at the center. Since the program started in 1973 about 70 per cent of the women have found jobs in private and public institutions which care for or train handicapped or ill persons. A number of women who participated in the program while at DeltCo now work full-time at the center.

**CRIMES FOR WHICH FEMALE FELONS
ARE SERVING TIME AT DEHOCO**

MARCH 1976

<u>OFFENSES</u>	<u>NUMBER OF PRISONERS</u>
Larceny from Building	44
Second Degree Murder	29
Manslaughter	24
Armed Robbery	18
Prison Escape	16
Uttering and Publishing	15
Unlawful Sale of Narcotic	14
Assault w/intent to Rob Armed	12
First Degree Murder	9
Carrying a Concealed Weapon	8
Burglary	7
Forgery	6
Larceny from Person	6
Receiving Stolen Property	5
Violation of Check Law	4
Unarmed Robbery	3
Checks w/o Account or Fund	3
Assault w/intent Great Body Harm Less than Murder	3
Larceny	3
Kidnapping	3
Entering w/o Breaking	2
Possession of Narcotic	2
Larceny by Conversion	2
Cruelty to Children	2
Welfare Fraud Over \$500	2
Other Offenses	11

A program of on-the-job training is associated with the business office education program, and a small, informal training session in dental laboratory technology is offered to a few residents under the direction of the institution's dentist.

Classes in food services are underway as well as a course in poise and self-confidence, which is part of the academic school. A program of home management, including budgeting, nutrition, child care and basic mechanical training is planned.

Also on the drawing board is family counseling and instruction in job-seeking and interviewing techniques.

The department also is investigating the possibility of locating a prison industry at the site to provide more jobs for the women.

Beyond these limited vocational offerings, residents can hold institutional jobs which pay about 55 cents a day in the cannery, the sewing room, the kitchens, on yard detail and in housekeeping. They

also can act as nurses aides in the institution's infirmary.

Although the recreation program is limited because of space, the institution does have a full-time recreation director. There are rollerskating, baseball, table tennis, pool and physical fitness and health care classes available.

For leisure time activities, there is a small library serviced by the Detroit Public Library, a knitting club and several organizations which draw support from outside groups.

Among these organizations are: Two clubs for those serving life and long sentences assisted by the American Association of University Women, a chapter of the Layettes, a self awareness group and some religious organizations. Informal hobbycraft activities involve some women. The institution is in the process of getting a law library.

Group and individual counseling is also provided. For drug abusers there is SHAR House, one of the

more attractive cottages among the nine 40-bed units. This therapeutic community, run by a private organization based in Detroit, currently treats about 30 women in a highly structured setting.

As in the male institutions, selected women are offered the department's parole contract (see section on parole contracts).

Religious counseling and programs are provided by part-time contractually-paid chaplains.

Women prisoners have special problems not found in male institutions that must be attended to — among them the need for specialized medical care. Minor medical care is offered in the institution's antiquated and substandard infirmary which was scheduled for improvement in 1976. A full-time physician, a part-time dentist, a dental technician and six nurses make up the staff at the infirmary. Several physicians also are available on a

contractual basis; a gynecologist regularly visits the institution. Serious medical problems are handled at the Wayne County General Hospital.

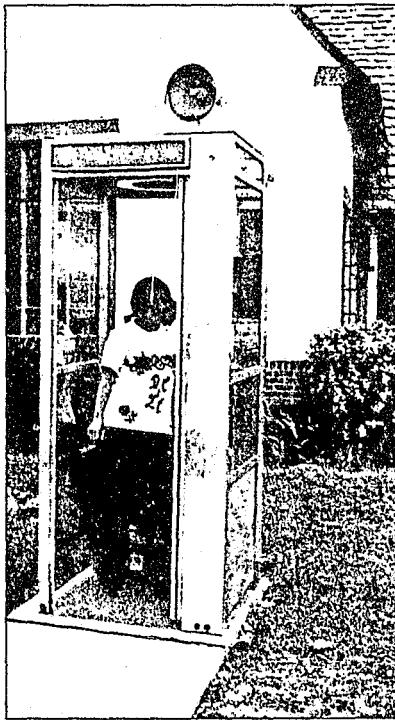
Although many improvements have been made in programming for the female offender at DeHoCo, the conditions of the prison make this institution highly undesirable.

The state plans to abandon the prison in mid-1977 when a new \$10.5 million women's institution is completed in Pittsfield Township near Ypsilanti. It is to house about 270 women felons with the responsibility for the care of the misdemeanants going back to the jurisdictions from which they are sentenced.

Until the new prison is done, opportunities for the imprisoned female felon are limited in Michigan.



Women offenders in Michigan find respite from the tedium of prison life by pursuing hobbies and keeping in touch with the outside world through telephone privileges and family visits.



Mr. RODINO. It seems that this problem has really been neglected and has not been properly addressed. As a matter of fact, forums have been conducted in this area, and I addressed a forum a couple of years ago, a national forum, on women, alcohol, and drug abuse, and I was surprised frankly at the lack of emphasis in this area and the lack of awareness as to the need to really address the problem.

There is in the office of NIDA a Special Assistant for Women's Concerns which has made an attempt to address these problems. I was hoping that, with LEAA, and with the other agencies that recognize the need, they would see to it that something is done in this area.

And we are talking about crime, and we know that, unfortunately, drug addiction when it comes to women leads to prostitution, it leads to a deteriorating life, and it affects the community at large, so that I feel it is about time that we begin to address this problem.

Dr. BUFE. I feel quite comfortable, but I will investigate that specifically. I should point out too in our State we have a number of women involved in the commission activity relating to criminal justice and to some of the special abuse areas. As a matter of fact, we have leadership through women in that regard. I feel very comfortable because I have seen women involved, but I want to verify it to be sure.

Mr. RODINO. Thank you.

Mr. Chairman?

Mr. WOLFF. Thank you, Mr. Chairman.

Dr. Bufe, we are grateful for your contribution here. I must say, since you come from an area that impacts upon John Conyers' Judiciary subcommittee that is responsible for oversight of LEAA, I am sorry that he is not here today to hear your testimony. I am sure that he is busy in another area and will review it. He has been one of the prime drug fighters in this Congress and we are very fortunate to have a man like that in the Congress.

I would just like to address myself to the fact that I am from New York, and we have been the drug capital of the world until you recently took over the mantle, according to some of the newspapers.

Dr. BUFE. I would probably argue with you on that.

Mr. WOLFF. Under any circumstance, they indicated that some of your cities have been a major focus of activity by some of the drug traffickers. To what do you attribute this great increase of activity in your area?

Dr. BUFE. That is a real hard question. It would be speculation, I suppose, to get into that. I have my own impressions. I tend to feel that we have only begun to really learn about the extent of the problem. Our information systems have only in recent years been implemented to begin to tell about our problems. You have spoken to the Federal representatives this morning about the problem of information. I think one of the very significant issues in that regard is that we are only beginning to be in a better position to learn about our problem more specifically. It could be I suppose because the countermeasure activity that we have instituted hasn't been sufficient.

Mr. WOLFF. You are one of the States that are not in compliance, as I understand it, with LEAA. Is that correct?

Dr. BUFE. I don't know. I don't know that we are not.

Mr. WOLFF. We have been told that your State is one of the States that is not in compliance.

Dr. BUFE. With what? Do you know specifically?

Mr. WOLFF. The previous voluntary requirements on the assessment programs, I have been told by counsel.

Dr. BUFE. Are you talking about evaluation or what?

I would just like to point out the criminal justice problem is a very broad, comprehensive kind of a beast, and I am not aware I am not in compliance with anything.

Mr. WOLFF. I was just wondering whether or not you felt that was a restrictive factor in your ability to cope with the problem? In other words, the compliance required by LEAA, and specifically the part E reporting requirements, which I have just received from staff just now. I don't really think that has any relevance to the basic thrust of my question, but I am just wondering whether or not you find that the restrictions placed upon you by LEAA impair your efforts in any fashion, or are they really necessary?

Dr. BUFE. Well, I made a statement in the testimony that we are and in the future we will be, required to do even more compliance type of activities, and while we are doing this, obviously we cannot be involved in the street activity. I do find it somewhat restrictive, and I can tell you for a fact that this coming year, in light of the congressional expression up to this point of a reduced level of funding, that more and more of our action-related resources will be devoted to compliance reporting, administrative kinds of things that I feel are nice, but not as important as getting the job done on the street.

Mr. WOLFF. Do you have any handle at all on the drug relationship to street crime in your area, percentagewise?

Dr. BUFE. It is a very difficult thing to nail down, but I would tend to agree with the statement of I believe the committee chairman that it is probably around one-half as a contributing factor to crime.

Mr. WOLFF. I am sure that the reasons for your receiving increased Federal funding are very valid. However, since street crime is primarily local crime, is this not also a responsibility of the local enforcement people as well?

Dr. BUFE. I would agree, and I think the record is very clear in our State. I cannot speak for others, and I hope you will talk to other States. I think the record is very clear we have acted responsibly. I point to the effort of our State to become involved in the treatment dimension of the problem, and we have invested in the past few years a program that now totals about \$20 million a year. We have done many other things at the State and local level to cope with the problem because, obviously, it is a big contributing factor.

We think we could do more innovative things. When you deal with a new idea and you are starting up new activities it just seems to me we can do a lot better job of accelerating the kinds of things we are ultimately shooting for. I think we have demonstrated that in the period of this program, and I am just sorry that Congress doesn't feel that way.

I point out in the testimony that we haven't given up on other social issues. We have the unemployment issue which is part of the, crime problem too. Congress sticks with unemployment and job funds, but I get the feeling that we are not very excited at the congressional level to stick with the problem of crime.

I have a lot of other things to do in our State in terms of innovative programing to deal with the drug problem, and I can assure you if you fund at the \$600 million level I am not going to be able to get much of it done. It is going to take a lot longer to do it, because LEAA money is for startup, and our pickup record is clear. The record is before you, and I think we can make progress.

Mr. WOLFF. Dr. Bufo, I must preface this question with a remark. The question was asked before by the gentleman from Florida relative to organized crime and its activities. I must preface my remarks, however, by stating to you the great concern that I have relative to the stereotype that is created by the word "organized" crime. It brings to mind the old groups that were in organized crime referred to at one time as a Mafia relationship, and what have you. I should like to at this point disabuse many of the people who attempt to stereotype organized crime into this area. Today in the drug field with regard to organized crime so far as I am concerned, its complexion has changed completely. With respect to traffickers in drugs, the organized crime figures have been Chinese, they have been Jewish, they have been black, Chicano, all other types of groups, and therefore when I pose this question to you of organized crime I wish you would address it in its total structure rather than in the very narrow structure that has been stereotyped.

Do you find an intrusion of organized crime activities in your area, specifically in the drug field?

Dr. BUFE. I would much prefer that this question be addressed to the law enforcement officials in our State because they are obviously in a better position to do that. It is my impression that there has been intrusion of organized crime into the drug trafficking business, and again I am going to answer in that scope that you gave me, not specifically by any one group. I felt for awhile they were out of that trafficking, but it seems to me that they have come back into it.

However, I think it would be much more helpful to your committee to get that directly from our director of State police, or perhaps from our chief of police in Detroit.

Mr. WOLFF. I wonder if you could perhaps act somewhat as intermediary for us and get that response for the committee?

Dr. BUFE. Yes, sure.

[The information referred to follows:]

Dr. Bufo provided the committee with a letter describing several occurrences in Michigan that lead the State police to conclude such events are "sufficient to establish the basis of a reasonable cause to believe there is organized crime involvement." (The letter is in the committee files.)

Mr. WOLFF. Thank you.

Thank you, Mr. Chairman.

Mr. RODINO. Mr. Frey.

Mr. FREY. Thank you, Mr. Chairman.

In your treatment program, in putting it together, have you consulted other States such as California or any other States to see what they do?

Dr. BUFE. Have we done that?

Mr. FREY. Yes.

Dr. BUFE. Yes, our people who are involved in the treatment dimension of our program are very close to their counterparts in the other States.

Mr. FREY. I just wondered did you base it on any other particular State when you put it together.

Dr. BUFE. We have had help from some of the west coast States, particularly California, Arizona, New York, some other eastern States.

Mr. FREY. California is probably one of the few States that really has kept decent records over a period of time and afterwards 3 years for the people who entered the program. As of a few years ago only 17 percent are not back in the program. But that is not bad, really.

I think that sometimes we look at the percentages and really knock the programs, but I think, practically speaking, after 3 years if you can take 17 percent of it out with all the problems you have of people going back into the street, back in the same atmosphere, that is not bad at all, and I think you use the figure that Chairman Rodino did of 17 percent before.

Dr. BUFE. Yes; of course Mr. Rodino has the same figure I came out with. I guess I share your feeling. I think any progress we make at all is important.

Mr. FREY. I do too, and of course, as you know, there are even programs in California which help somebody get a job after they get out. When they get through the facilities there are halfway houses for them to live in. I spent some time out there going through the program and looking at it, and while there is no program, or there are certainly no things for a heroin addict as such, they did seem to have some flexibility in it also.

How many people do you project are going to go through your treatment program in the next few years? Do you have any idea?

Dr. BUFE. I think I can retrieve that. I don't happen to know right off hand.

[The information referred to follows:]

The information system to track those in treatment only recently became operational. On March 31, 1976, there were 12,564 persons in treatment in Michigan. The table of treatment modality follows:

**Utilization Rates by Modality and Environment
For Drug Treatment Units
National Drug Abuse Treatment Utilization Survey†
Prevalence Date March 31, 1976**

***Actual Clients in Treatment
Client Environment***

Modality	Out-patient	Resi-dential	Daycare	Inpatient Hospital	Prison	TOTALS
Drug-Free	5,471	447	35	38	234	6,225
Detoxification	479	2	0	29	350	860
Maintenance	5,468	2	0	0	0	5,470
Other	0	0	0	1	8	9
TOTALS	11,418	451	35	68	592	12,564

***Percent Utilization
Client Environment***

Modality	Out-Patient	Resi-dential	Daycare	Inpatient Hospital	Prison	TOTALS
Drug-Free	79	90	83	78	123	81
Detoxification	97	33	0	66	67	81
Maintenance	91	25	0	0	0	91
Other	0	0	0	100	40	43
TOTALS	85	87	83	72	81	85

† Sponsored by the National Institute on Drug Abuse through the State of Michigan Integrated Drug Abuse Reporting Process (IDARP).

Mr. FREY. You are obviously short of people, facilities, halfway houses, and all that. Maybe also for the record you could provide what you think you would need as a budgetary matter to be able to do what you want in the treatment area.

Dr. BUFE. OK; that is available, and I just don't want to misinform you. I want to be very exact.

[The information referred to follows:]

Actually, in the treatment area, we are meeting the demand right now. Most programs are not at full capacity. If more funds were available, the greater need is for better data collection, training, evaluation, and planning. Our Substance Abuse Office feels that \$1-\$2 million spread over State and local coordinating agencies (added to \$4.8 million) would allow much better use of the \$6.6 million alcohol and \$8.9 million drug treatment program.

Mr. FREY. We appreciate that.

Let me ask you just a general question. This is maybe something a law enforcement man can answer but I would like to have your thoughts on it too.

By the way, I went to the University of Michigan up there so I know a little bit about the area, but one of the problems of course, whether it is in Detroit or Michigan, whether it is on the border like in Florida where I am from, is that so much of the work that is done by the local police or by the county or by the State—that is really just hitting at the periphery of it—so much of it at least appears to be organized, I use it in the broad sense of the word—people involved in crime who are fairly well organized who go over not only county and State but international lines and that kind of thing, and I just really wonder with the money—and I am for it, because again I think you are at least doing something—I just wonder if maybe the answer in that area isn't an increased national effort. In other words, where are you going to get the most for your money out of the thing? If we keep putting a lot of it in the States it gets so diffused and every little city or county has their own drug thing, but they really cannot operate without the intelligence that is needed. What is your feeling on that?

Dr. BUFE. It is a very astute observation about designing strategies to deal with that problem. I guess I would react this way. I think it takes a partnership to deal with the problem that is involved as this and I would agree that it is international, it is interstate, and it is intrastate. We even have some serious problems that are difficult to coordinate within our own State.

I would like to suggest, and I feel very strongly about this, that we need all the parts. I guess my testimony points to the record of what our locals have done and I admit in the testimony that we haven't got to the target, the higher ups, but I would suggest further to you that when a Federal agent comes in, or even a State agent comes in, it is usually that local enforcement agent who is in the best position to point out to these officials what the changes are in that community, who the actors are that are different from the ordinary.

Mr. FREY. I suppose you have the same problem, some of which surfaced in our State, that the agent from out of town, the so-called expert, really doesn't want to tell them much, and we found this. We have a real problem with it of coordinating down the line. I

think it is a good point because I think all are needed, but I get very frustrated because there doesn't seem to be any coordination of it, and even in the LEAA funding that goes into different areas, and I am not talking about your State—I am talking about mine—that goes into different areas, there is really no overall coordination of what you are getting.

Dr. BUFE. Let us not give up though.

Mr. FREY. No choice.

Dr. BUFE. Yes, we have no choice. It is a very complicated problem of coordination, but in our State one of the most exciting things LEAA has done in the enforcement dimension of this problem is to design, develop, multijurisdictional metro squads, and we have made that work.

Now, if we can make locals work together, and there has always been that same kind of jealousy or whatever you want to call it—I don't even know that it is not healthy—we can have an impact upon the problem. The point is we have been able to break those barriers or impact upon them, and I guess I am not ready to give up. It is not just the Fed not talking to the State or local, but it is the local more often not talking to the State or Fed.

I think we have demonstrated these barriers can be impacted and we cannot give up. We have to do more of it.

Mr. FREY. I agree with you, and one last question. Can you just give us percentagewise what the increase in effort has been in the State in the total drug program over the last 2 or 3 years? How much have you increased the effort in it and what is it in real dollars, and what projections do you have for the future?

Dr. BUFE. Yes, I can—

Mr. FREY. Can you ballpark that for us now?

Dr. BUFE. I can ballpark it. I will try to. We probably since the beginning of the program have increased the commitment to drug abuse narcotics problems by probably fivefold.

Mr. FREY. From what to what?

Dr. BUFE. Well, I would have trouble with that.

Mr. FREY. \$10 million to \$50 million, or in that range?

Dr. BUFE. We have gone at least that much, yes. I can get more specific about that.

Mr. FREY. I would be interested in that for the record, and also what plans you have in the future because I think it has just got to get higher in all our priorities and I say the Federal first, but I think that is across the board for the States and for the local communities.

Thank you, Mr. Chairman.

Dr. BUFE. OK.

[The information referred to follows:]

In 1973-74, our OSAS distributed \$12.5 million in community treatment funds. In 1977-78 the projected expenditure will be \$17 million, a 36% increase. At this level, we are meeting the current demand for treatment services.

Mr. RODINO. Thank you.

Mr. NELLIS. One question. Dr. Bufe, thank you very much for being here and waiting this long.

Dr. BUFE. It is my pleasure.

Mr. NELLIS. Your figures do not show the same trend as the LEAA figures across the board. You had an increase from about \$3

million in 1972 to about \$22 million narcotics and alcohol abuse in 1977. Is that a reflection in your judgment of the increased problems involving drug abuse and alcohol abuse in the city of Detroit, or is that a reflection of the State's problem?

Dr. BUFE. I think it is probably a combination of a lot of things. I would like to say that that, first of all, is part of it, but I think importantly if you go to the record, you will see that the commitment has been made really when this program got off the ground to attend to the problem and it has taken this period of time to build it. I guess we would like to continue that building and hope that we will receive the help of Congress to do that.

Mr. NELLIS. Dr. Bufe, how much persuading have you had to do in order to run counter to the national trend? The national trend, as I pointed out much earlier, as the chairman pointed out as well, is completely in the other direction. Michigan must be one of the few States that has increased its contribution in dollars with respect to the drug abuse problem.

Dr. BUFE. I don't really know how we compare with other States. We obviously are unique if the trend has been the other way.

Mr. NELLIS. Did you do much more than just submit your State plans? Did you lobby? How did you effectuate such a result?

Dr. BUFE. I think that it is the State action. The plan is something that you use to shoot for and then we work from that through a lot of different mechanisms. We work with our legislators, we work with our communities, we work with the practitioners. There are any number of things we have done to bring highlight to this problem area. The State community obviously has picked up on the notion that it is a serious contributing factor to the crime problem and we now have their support.

Mr. NELLIS. It is a high priority item in your State.

Dr. BUFE. Yes.

Mr. NELLIS. I wish more States felt that way about it.

Dr. BUFE. I think I should point out in defense of other States that it is very difficult to put your hands on all the pieces that are indirectly drug supporting. For example, through LEAA we have put in about a \$4 million lab program that has contributed to the ability of the law enforcement community to identify drugs and you can go on and on. Our career criminal program we are starting up is going to be targeted on drug offenders. There are any number of things I can point to. Our legislative review right now on sentencing is going to deal with the inequities in dealing with drug offenders.

There are any number of things we cannot put a dollar sign on easily that go along with the effort that we are able to describe, and maybe other States haven't reported it that way. I don't know.

Mr. NELLIS. Thank you very much, Dr. Bufe. I appreciated your statement as well which I thought was very carefully drawn.

Dr. BUFE. Thank you very much. It is my pleasure to be here.

Mr. RODINO. Thank you very much, Dr. Bufe. We appreciate your coming here, and we appreciate your testimony which I am sure is going to be very useful to the committee coming from a local source—from where the action is right now. Knowing that Detroit is unfortunately infested with this problem I think the information you have presented is going to be very beneficial to the committee.

[Dr. Bufo's prepared statement follows:]

**PREPARED STATEMENT OF DR. NOEL C. BUFE, ADMINISTRATOR,
MICHIGAN OFFICE OF CRIMINAL JUSTICE PROGRAMS**

"The estimated 40,000 to 50,000 junkies on Detroit's streets shoot up stuff from Mexico. That's where most of the city's heroin comes from. The Detroit Police Department's Central Narcotics section does its best to curb heroin traffic here, raiding drug houses, busting street pushers, occasionally cracking a ring of local suppliers. But much of the section's efforts to stop the retail sales of heroin in Detroit has been like bailing out a bathtub with a teaspoon."

Peter Gavilovich, Detroit Free Press, Sunday Magazine Section, January 2, 1977.

I. The Problem

Four months after the above article appeared, 240 men of federal, state, county and local law enforcement agencies raided 12 houses and 9 bars, arrested 25 people and confiscated 6-1/2 pounds of heroin worth about \$3 million. This followed an October 1976 raid in which 29 Detroit area wholesalers were arrested and 6.4 pounds of heroin worth \$3 million were confiscated.

Apprehension of large quantity heroin dealers involved in the Mexican connection reflect a concentration of federal DEA commitment to the Detroit area. It is alleged that Detroit is one of the major centers for distribution and sale of brown Mexican heroin. It is also believed that a significant percent of Detroit's homicides are drug related.

What are the dimensions of drug use and abuse in Michigan? A statewide survey of 2,539 residents, ages 13 and over, was conducted in 1974 by the Office of Substance Abuse Services (OSAS). Projecting from the self-reporting of this sample (which may be understated), some 28,000 Michigan citizens (.4%) used cocaine in the previous 4 weeks; 17,000 (.2%) used heroin, and 540,000 (.75%) used marijuana. There were 432 deaths in Michigan primarily due to drug abuse (excluding alcohol). Nearly half (44%) or a projected 214,000 of those who had used drugs in the previous year reported one or more problems as a result of the use. OSAS estimated, as a result of its survey, that the social cost of drug abuse in Michigan in 1974 was \$419 million, of which \$8.6 million was for health resources, \$26.6 million for criminal justice, \$65.6 million in productivity losses, \$47.5 million in drug abuse program costs and \$271 million in property loss due to crime.

In October 1976, Detroit SNSA emergency rooms reported 1,388 drug related clients episodes, crisis centers reported another 398, and medical examiners 12, for a total of 1,798; the figure for January 1977 was 1,479.

By whatever measure - problems of health, social adjustment, crime or cost, drug abuse is a matter of considerable concern. "Drugs" has been the second most often (behind crime) mentioned community problem in each of OCJP's five annual public opinion surveys. "Drugs" also ranked very high as the believed cause of crime, yet there is pessimism about what can be done to curb drug abuse, only 6% of the 1977 survey respondents mentioned drug control as a way to reduce crime (47% mentioned stricter penalties and tougher enforcement).

II. The Response

The governmental response to substance abuse has traditionally taken two routes - law enforcement on the one hand and therapeutic treatment on the other. The criminal justice system and LEAA aid have been significant in enforcement and supportive as regards treatment.

A. Law Enforcement

It is difficult to estimate the number of narcotics related offenses in Michigan. Unlike crimes for which evidence exists in the form of damages, loss or injury, drug law violations are seldom known until the moment an arrest is made. Occasionally complaints or observations about erratic behavior will lead to arrests for possession and use, but, by and large, personal violations of controlled substance acts are undetected. For instance, in 1976 there were 25,483 reported narcotics offenses and 27,866 arrests for narcotic law violations. Technically, each of the 351,000 Michigan citizens estimated to have used illicit drugs in 1974 was committing a crime.

The trend in arrest patterns for controlled substance violations are as follows: there were 20,492 total arrests in 1971, 27,866 in 1976, a 36% increase over five years. However, within that total, there was a 61% increase in marijuana arrests, a 56% DECREASE in heroin/cocaine arrests, and a startling 114% increase in arrests for "other" drug violations (pills, synthetics, etc.). Between 1971 and 1976, however, arrests rose to a peak in 1974 (29,909). They stabilized at a lower 27,290 and 27,866 in two succeeding years. Arrests of juveniles rose 7.9% on the basis of a 61% increase in marijuana arrests and 62% decrease in heroin arrests but registered a 62.5% decrease in arrests for abuse of other chemicals. Thus, during a period in which public acceptance of pot smoking

has increased and abhorrence of heroin has risen, the arrest trend for those substances is quite the reverse. The 2,840 arrests for selling heroin in Michigan in 1976 accounted for but 10% of all narcotics law arrests. Add 969 arrests for use of heroin and the total for heroin arrests is 14% of the total. Again, because of the nature of the way narcotics offenses become known, 70% of such cases are cleared by arrest, compared to 20% for all index crimes.

B. Local Enforcement

Nearly every jurisdiction of any size in Michigan has officers specializing in drug law enforcement. Some are participants in regional Narc Squads. Fifteen local or regional units have been funded by the Office of Criminal Justice Programs (OCJP) with LEAA aid. Of the eleven units for which federal support has ended, all of them have continued the effort in one form or another - not all at the same level as afforded by the grant projects. The total of federal funds put these local programs amounts to \$2,700,000 thus far. There are some notable examples of area-wide cooperation; we funded the Tri-County Metro Squad around Lansing, DRANO (Downriver Area Nocotics Organization) south of Detroit, and the Oakland County NET Project. A special Detroit area unit, to be called CANE, was operationalized instead as the Ad Hoc DEA Task Force and involves experts assigned by the State Police and local agencies. The Task Force has had several notable successes.

We are conducting an evaluation of four local units we are now funding. The full results are not yet available. However, we have preliminary findings from three of the four. They show arrests in 75% of the cases being investigated. Of the drugs confiscated in those arrests, two-thirds was marijuana, 23% heroin, and 12% other (chemicals, pills). Those arrested were 32% dealers, 32% users and 27% street pushers. Only 8% were distributors, importers or manufacturers. While these are incomplete data, they suggest that the problem of busting the drug trade "higher-ups" remains as difficult as anticipated.

The State has also federally funded a number of organized crime units which on occasion uncover evidence of drug traffic. Organized crime units, however, are usually found in communities with drug squads, and thus do not generally pursue drug investigations themselves.

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LEAA funds were used to support over \$120,000 for two local drug analysis labs. Generally, however, we have discouraged the proliferation of local labs while heavily supporting a network of state forensic laboratories.

C. State Enforcement

The Michigan State Police is the principal state agency for drug law enforcement and analysis of confiscated materials. The State Police maintains a Narcotics Unit with bases in Detroit and Lansing. They participate in cases with the DEA Task Force in Detroit. In 1976, they were involved in 1,216 cases and made 2,006 arrests, confiscating \$12,353,000 in controlled substances. State narcotics officers have participated in a large number of cases along with federal and local officers. The State Police Narcotics Unit was in being before the LEAA program and has, thus, never been a grant applicant.

A State Police operated Turn-In-Pushers (TIP) award system awarded \$397,000 to informants in 1975. Based on 3,162 calls, there were 1,067 arrests and seizure of drugs worth \$3.5 million on the street.

Drug analysis work in Michigan is done mainly by an emergency network of highly sophisticated forensic labs run by the State Police with Health Department participation. This lab system expansion was made possible by \$3,986,000 in LEAA-OCJP funds. The botanicals and narcotic drug sections of the labs made 17,912 identifications in 1976, compared to 20,131 in 1974 and 18,028 in 1975.

III. Treatment

Michigan was among the first states to establish a state coordinating agency for the treatment of drug abuse problems. The Office of Substance Abuse Services (OSAS) was established with LEAA grant money. We provided \$226,000 early in its existence of which \$75,000 was for a study of Victimless Crime. That agency had a \$20 million budget for FY 1976, more than total OCJP budget for the same period. Very early in Michigan it was decided that criminal justice funds would not be the major source for treatment services. In 1970, we funded a Wayne County education project. We also helped start five county-wide pilot comprehensive programs with a total of eight projects (Genesee, Ingham, Macomb, Washtenaw and Wayne). These projects had to be cleared with OSAS and their local community Mental Health Boards before we would approve them. The federal dollars we awarded totaled \$2.5 million. In the projects we funded, it was found that the smaller projects using full community resources including volunteers and job placement, worked much better than larger impersonal projects using just their own resources and professional staff. As other resources became available, OCJP withdrew from

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such activity, partly because of our own emerging policy not to fund private agencies directly. OSAS provides about \$7 million annually to 25 local agencies for drug abuse treatment and \$5 million for alcohol abuse treatment.

OCJP was also instrumental in developing drug treatment for offenders. By funding a \$111,000 health services study for the Corrections Department, we helped start a massive upgrading of health screening and treatment, including drug abuse counseling. By screening, it has been determined that one-third of the inmates entering prison had patterns of sustained illicit drug use or addiction. All correctional facilities have chapters of Alcoholics Anonymous and Narcotics Anonymous.

We have also awarded over \$4 million in LEAA funds for 26 jail rehabilitation programs, seven of which are still active. To the best of our knowledge, every one of them has a drug abuse component. The jail drug abuse services vary widely from individual therapy to group therapy to education and counseling. Much depends on the size of the community and available resources. A quick scan of data indicates that two-thirds of jail inmates are recommended for either drug or alcohol treatment and 20% had been using, within 30 days prior to being jailed, a community substance abuse services. Drug related charges rank third among charges leading to jail commitment, behind burglary and larceny.

A. TASC - (Treatment Alternatives to Street Crime)

A significant recent LEAA activity regarding drug treatment is Detroit's TASC project, a federal discretionary grant. TASC is an adjunct to a series of state LEAA funded projects in Wayne County. The first supported the Recorder's Court Drug Program in 1971, led to reimbursing clinics for court referred clients in 1972 and later allowed the hiring of 24 probation officers specializing in drug counseling and referral. A Screening Board was added which was to review addicts before sentencing and make disposition recommendations in 3,600 cases since 1972. The TASC grant allowed the addition of urine sample monitoring and tracking for probationers, those requesting release on bond, and defendants appearing for sentence, requesting diversion, or suspected of drug use. According to TASC data, recidivism among drug addicts prior to these programs was 32%. The rate for those probationed since the programs started is 17%. Funded for two years with \$414,000 and \$371,000 in federal grants, the project is being extended for six months with \$30,000 each from Detroit's

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Part C allocation and Wayne County, while permanent county and OSAS support is being sought. A reduced phase III application for TASC has been approved. The continuation at a rate of \$120,000 per year will insure that two employees in Recorder's Court will refer clients for substance abuse service and that three employees in the Wayne County Substance Abuse program will track these clients. We have also funded a wide variety of police, prosecution and court diversion projects which share TASC's goal of treatment alternatives to adjudication of drug abusing offenders.

Conclusion:

I believe the material presented here tells a story of effective state planning and local programs, using federal aid, to impact the drug problem. OCJP has put over \$.3 million into drug investigation and treatment programs. We invested another \$4 million in jail rehab projects with drug abuse components. LEAA has put another \$800,000 into TASC in Detroit.

If we assess the harm and loss caused by drugs, the expenditures are worthwhile and should continue. Some view the drug problem as being as insoluble as alcohol use, gambling, or prostitution, and doubt that we should continue with our admittedly imperfect enforcement efforts. I am persuaded that illicit drugs are diminishing the quality of life for many and causing serious financial loss.

We will continue funding local projects for narcotics investigation as long as they are within local priorities and meet our operational guidelines. There are still three SMSA's which have not had grants for drug enforcement units. But it should be noted that all of the OCJP funded programs have completed their grant funding period and are continued with local funds. I will look closely at any future requests to determine if they are more likely to go after street pushers or those in higher echelons; it is the latter that I am most concerned about. I will work more closely with OSAS to assure proper attention to substance abuse treatment in diversion and correctional projects, particularly those for juveniles. I will look for attention to the problems of synthetic chemical drugs, the fastest growing part of the drug subculture.

We must also seek to better educate people toward less abuse of controlled substances - whether alcohol, pot, heroin. So, whether we support enforcement, treatment, or education programs, sharpened by what evaluation has taught us, LEAA support will be vital.

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This leads to my most urgent recommendation. If this Congress adopts its currently recommended level of funding, 1978 funds for LEAA purposes will be 25% below the 1976 level and 20% lower than 1977. There has been much rumbling to the effect that, since crime has not disappeared, we should terminate federal crime control assistance. If so, we should also recognize that we have not eliminated poverty, unemployment or accidents. Does that mean we should stop providing federal welfare, unemployment or traffic safety assistance? We need federal LEAA aid to support promising concepts demonstrated over the past eight years. And it must be noted that reported crime did go down in 1976. Our State Commission on Criminal Justice has gone on record with two resolutions urging adequate funding for the LEAA programs. In fact, 11 of 19 Michigan Congressmen supported the Holtzman amendment to restore proposed cuts. I urge you to support funding of the 1976 level (\$809.6 million) if you really wish to continue the gains we have made. Drug investigation is just one of many areas that will suffer if the cuts are approved. It must also be noted that the Crime Control Act of 1976 added substantially more requirements for offices like OCJP. More and more of our time, money and effort goes to preparing reports and filling out questionnaires. This seriously impacts our performance of our basic mission.

In trying to disrupt the drug delivery chain which ends in Michigan, maybe we are just trying to bail out the bathtub with a teaspoon. Yet, there have been significant recent successes in the Detroit area. Perhaps we have not yet done enough to determine if the enforcement model can work. If the DEA Task Force idea continues to work well in Michigan, perhaps even more federal support for DEA is in order. I assure you, if LEAA support disappears, it will be infinitely more difficult for state, county and city cooperative efforts to develop in the parts of Michigan not yet fully organized for drug enforcement.

Thank you for this opportunity to share with this important committee the Michigan view of how we have responded, and might better respond, to the crime and drug problems so prevalent here and across the Nation.

Executive Office
April 28, 1977

LSP: J. C. L.

Gov. William G. Milliken Thursday urged Congress to restore the \$200 million cut out of the LEAA Budget by its Appropriations Committee. Noting that this would mean a loss of \$5 million to Michigan's state and local criminal justice agencies, Milliken said:

"It is essential that the Congress maintain its commitment to fighting crime. State and local costs are increasing steadily and this is no time for Congress to reduce federal assistance."

Following is the text of the message conveyed to Michigan's Congressional delegation:

For eight years Michigan has been engaged in a comprehensive upgrading and modernizing of our criminal justice system. Much of the impetus was provided by LEAA funds.

In law enforcement, the list of activities includes crime prevention programs, special investigation units, and a statewide communications system. Further, LEAA funds made widespread improvements in Court administration possible. Innovations in the field of corrections include intensive probation, community correctional centers, prison decentralization and Office of Jail Services. A wide range of juvenile justice and delinquency prevention reforms have also been started.

House action is pending which would reduce LEAA appropriations by 28 percent--from \$704 million requested by the Administration. Such action would severely muzzle Michigan's programs as it would mean a cut of over \$5 million.

Congresswoman Elizabeth Holtzman will introduce an amendment when the issue comes to the House floor which will restore the appropriations at least to the original figure. I urge your full support of the Holtzman amendment as I strongly feel that the LEAA program has an important place in Michigan's criminal justice efforts.

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STATE OF MICHIGAN



WILLIAM G. MILLIKEN, Governor

DEPARTMENT OF MANAGEMENT AND BUDGET

POST OFFICE BOX 3002B, LANSING, MI 48902-3002

GERALD H. MILLER, Director

April 13, 1977

For eight years, we have been engaged in the most comprehensive upgrading, reform and modernization in the history of criminal justice. Much of the impetus was provided by OCJP-LEAA grants. In law enforcement, the list of activity runs from crime prevention programs to special investigative units to a statewide communications system. In prosecution, we have encouraged diversion of selected cases from courts to treatment modes, encouraged career criminal priority prosecution, and started the Prosecutors Management Information System (PROMIS). We initiated the State Appellate Defender program. The federal funds made possible widespread improvements in court administration. Correctional innovations include intensive probation, community correctional centers, prison decentralization, and Office of Jail Services. A wide range of juvenile justice and delinquency prevention reforms were begun. These are only a few of the many programs we helped you plan and implement.

Congress appears in the mood to begin dismantling the LEAA mechanism. The cognizant Sub-Committee on Appropriations has recommended a \$200 million cut (down 28% from Carter's \$704 million proposal). This follows a 7% reduction for 1977 and amounts to a 38% two year reduction. This trend has, and will, seriously cripple our efforts to help you modernize and improve the vital services you perform. Criticisms of the program, relatively mild last year (election year), are loud and clear this year. The Commission on Criminal Justice sent the attached Resolution to Congress in January; its Executive Committee has directed me to send a copy to you. We also ask your cooperation in conveying a sense of the value of our programs to the Congress.

April 13, 1977
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The voice which may convince Congress is your voice. I ask you to think about the many projects which have benefitted your constituents. The enclosed Annual Report will refresh your memory as to our impact. If you agree that the Crime Control Act and its funding are valuable, please convey this to Michigan's Congressmen and/or members of the Judiciary and Appropriations Committees (lists attached).

In my considered opinion, only "grass roots" interests can save this pioneering block grant and planning program from gradual, perhaps instant, extinction. Anything you can do to help will be appreciated. The communications you might generate would be useful to me so please send me copies.

Sincerely,

OFFICE OF CRIMINAL JUSTICE PROGRAMS

Noel C. Bufo
Administrator

NCB:Bjv

Enclosure

- Mycell Sowell, Chief Defender
Legal Aid & Defender Association
of Michigan
- James L. Shonkville
Prosecuting Attorney's Association
of Michigan
- Beth Arnovits
Juvenile Justice Coalition
c/o Michigan Council on Crime
and Delinquency
- Jim Split
Michigan Jail Rehabilitation
Services Association
- Martna Wylie
T.E.A.H. for Justice
- Charles Hitchner, Director
Greater Lansing Urban League, Inc.
- William V. Etchison, Treasurer
Michigan Association of Probate
Services
- John R. Plants
Automobile Club of Michigan
- Jack Foster
Michigan Sheriff's Association
- Herb Yamanishi
Michigan League for Human Services
- Charles Kehoe
Michigan Association of Juvenile
Court Administrators
- Carl Latona, Executive Director of
Highfields Inc.
Michigan Federation of Private
Child and Family Agencies
- Charles L. Lindstrom, President
Michigan Association of
Chiefs of Police
- Jon W. Newman, President
Prosecuting Attorneys Association
of Michigan
- David Storrs, President
Juvenile Justice Association
- Marlys Schutjer, President
Michigan Association for
Educational Options
- William Szafarczyk, President
Michigan Coalition of Runaway
Services
- Honorable Fred J. Borchard
President
Michigan Judges Association
- Jack Patriarche
Michigan Municipal League
- A. Barry McGuire
Michigan Association of Counties
- Robert R. Robinson
Michigan Townships Association
- Michael Frank
State Bar of Michigan
- Donald Switzer, Director
Newaygo County Youth Services
Bureau
- Bruce F. Romer
City Manager
Michigan Municipal League
- Benjamin Schrader
Michigan Association of Counties
- Michigan RPU & LPU Directors
- Anne Nolan - Region 1
Frank Kruzka - Region 2
C. Duke Hynek - Region 3
Beth Walter - Region 4
Eugene Baldwin - Region 5
William Wahl - Region 6
Robert Thorne - Region 7
Marvin Zwiers - Region 8
Ralph Eskuri - Region 9
Sue Zuburchen - Region 10
George Gardner - Region 11
Michael DeLeeuw - Region 12
Paul Doucette - Region 13
Leland Somers - Region 14
Alfred Montgomery - LPU 21/22
R. J. Rhodes - LPU 23
Robert Hyovich - LPU 24

State of Michigan
Commission on Criminal Justice
Lewis Cass Building
Lansing, Michigan 48913

January 24, 1977

Chairman:
Clyde C. Scott
Vice Chairman:
Engel Brooks, Jr.

Executive Committee:

Deputy: R. J. Vargas
Charles G. Glavin
George H. Hart
Peter J. Jones
Robert E. Lewis
Miles R. Nichols

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Edwin P. Crump
William F. Dwyer
Mr. John T. Edwards

Frank J. Kennedy
George Kirkland
Leonard M. McConnell

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John Kressinger
Barbara Lake
Bertrand Shouse
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Myron Sturz
Hon. John Swettie

Bonnie Taylor
Leslie Wittenauer
Richard Winter

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Sen. Ross W. Brown
Rep. Donald C. Crandall
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Hon. Ollie B. Bivins, Jr.
Eldon Bublin
Donald Fenton
William Hall
Hector Retana
Robert H. Scott

**STATEMENT DIRECTED TO THE CONGRESS OF THE UNITED STATES
FROM
MICHIGAN COMMISSION ON CRIMINAL JUSTICE**

This Commission, at its January 14 regular meeting, authorized its Chairman to convey to the Congress and the new Administration its continuing concern about charges that the LEAA program has been a failure and should be terminated. It concerns us that, after full review and extension by Congress of the Crime Control Act in 1976, critics continue to dog the program. Referring to specific concerns, Michigan has not squandered LEAA funds on police arsenals, has not ignored community crime prevention and has not short changed judicial funding or juvenile projects.

Community crime prevention has received an average of 10% of available action funds, rising from 3% to 20% over the years of the program. The adjudication area, which accounted for 12% of total direct state level criminal justice appropriations in 1977, received 16% of available 1976 federal aid. Equipment has constituted only 18% of grants awarded, and of the \$25.5 million for equipment since 1969, \$15.6 million, or 61%, was for vitally needed communications systems under a comprehensive state communications plan. Juvenile project grants, mandated by Congress to be at least 19.15% of action grants (exclusive of the Juvenile Justice and Delinquency Prevention Act special grant fund) accounted for 25.7% of our Fiscal 1976 awards.

While reported index crime has not declined steadily through the years of the LEAA aid program, specific target crimes have been reduced in certain areas and strong credit has been given to our grant projects. In fact, overall crime in Michigan appears to have been lower in 1976 than 1975 (the first reduction since 1973).

We note that permanent solutions have not been found to inflation, unemployment, or urban decay. Yet, most agree that efforts to contain all of these problems must continue unabated. Therefore, rather than dwell on the fact that crime has not disappeared, we urge undiminished, and perhaps sharpened and focused, attention to efforts well underway.

Finally, we urge consideration of accomplishments in improving justice and increasing efficiency as well as in reducing crime. While LEAA aid accounts for but 4% of criminal justice spending in America, it has been the catalyst for the most dramatic modernization and sophistication of criminal justice in all our history. We conclude that continued building is the only responsible course for this important and valuable inter-governmental program.

Signed

Noel C. Bufe, Chairman
as authorized by the Commission

State of Michigan
Commission on Criminal Justice
Lewis Cass Building
Lansing, Michigan 48913

Commission Action: 5/6-1

Adopted: 5/21/76

Chairperson
Noel C. Edna
Vice Chairperson
Ernest Brown, Jr.

Executive Committee
Robert Duroff
B. J. George, Jr.
Charles Griesbeck
Gerald Hough
Parry Johnson
Kenneth Pesakura
Milton Robinson

Other Members
Otto Davis, Jr.
Eldon Dahl
Florence A. Grams
William F. Delhey
John D. Doherty
William E. Hare
Lowell Henline
Wallace E. Holland
Frank J. Kelley
Gordon Krekard
Leonard McConnell
John P. Porte
Ruth Pasewark
Maurice Polson
Mary Sarni
John Schradar
Robert Scott
Dawn Simpson
Frederick Small
John Stachowiak
Elaine Turner
Leslie Vanoveren
Richard Waller

Officers
Sen. Donald E. Bishop
Rep. John B. Breslin
Rep. Dennis O'Conchurine
Rep. Paul A. Rosenbaum

INCREASE LEAA FUNDING

That the Commissioner adopt a resolution supporting the continuation of LEAA and increasing the funding level.

TO THE CONGRESS OF THE UNITED STATES:

The Michigan Commission on Criminal Justice at it's meeting on May 21, 1976, unanimously voted to call to the attention of Congress a great disservice to the nation's war on crime perpetrated by the Associated Press and a group called the Center for National Security Studies.

On May 10, 1976, a story was carried over the AP wire alleging that the "Center" had issued a "Report" highly critical of LEAA and urging its abolition by not extending the Crime Control Act of 1973.

It was determined that no printed "Report" was ever available for review or rebuttal. Yet the story was given top coverage nationwide. We ask Congress to consider carefully both the source and content of the alleged "Report".

We vigorously dissent from the conclusions ascribed to this "Report" as well as the MITRE Report done for LEAA. The LEAA program is not a failure. Great percentages of available funds have not been devoted to police equipment. The High Crime Impact Program was not a failure just because crime did not decline in the affected cities. Only simplistic minds believe that crime can be automatically reduced by federal aid which is but one-twentieth of all criminal justice spending. Further, there is no assurance that criminal justice systems alone can reduce crime in the face of powerful social and economic trends to the contrary.

Given these qualifications, we believe that much progress has been made in Michigan under the aegis of LEAA assistance. Processes have improved, comprehensive planning has been improved, and promising crime reduction project identified in the areas of crime prevention programs, special investigative units, court speed-up, intensive probation and parole efforts, and a career criminal focus. We could not condone the premature and abrupt ending of these innovations by allowing the Crime Control Act to expire.

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Adopted: 5/21/76

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It is the unanimous feeling of this Commission that Congress be urged to extend the LEAA authorization and funding be authorized and appropriated at the level of 1975 (\$905 million) or higher. We feel we have made great strides since 1969 and we want to carry to fruition our plans and goals for a modern and more equitable criminal justice system in a safer society.

DRUG TREATMENT \$3,140,000

Detroit \$195,758
TASC 420,000/350,000/30,000
Ingham County 104,719
Macomb 28,042
Washtenaw County Methadone 64,850
Wayne County 201,263/1,200,000/300,000
Detroit Co 200,487/149,572

NARC UNITS \$2,616,000

Berrien County Drug Enforcement Unit 78,273/
32,240/15,256
Cass County Drug Enf. Unit 67,306/40,227
Detroit - Narc Intel 101,913
East Lansing 42,515/15,292
Kalamazoo County 90,820/49,040/46,644
Downriver Narc 157,212/119,677/34,444
Muskegon 49,738/28,763
Pontiac 29,617/1,523
Saginaw Co. Metro Narc 127,719/119,207
Wayne County 135,264/149,517/122,589
Lapeer 77,189/44,654/69,351
Jackson City 141,864/138,035/45,598
Oakland 32,876/29,028
Tuscola 122,345/142,196
Macomb County 91,820/65,906/31,576

DRUG LABS \$120,000

Berrien County Drug Ident. Lab 29,300/12,684
Crawford 41,370/36,838

DRUG OFFENSE ARRESTS, MICHIGAN 1970-76

	1970	1971	1972	1973	1974	1975	1976	% Change 75-6	% Change 71-6
TOTAL ARRESTS	11,794	20,492	22,563	28,274	29,909	27,290	27,866	+2.1	+36.0
Marijuana	6,273	9,687	11,290	16,785	18,563	16,523	15,617	(-5.5)	+61.2
Heroin/Cocaine	2,924	6,857	7,097	6,870	7,119	5,620	3,809	+67.8	(-55.5)
Other	2,597	3,948	4,176	4,619	4,227	5,147	8,440	+64.0	+113.8
Juveniles TOTAL	1,815	3,134	4,009	5,087	5,024	3,795	3,383	(-10.9)	+7.9
Marijuana	862	1,591	2,117	3,345	3,570	2,809	2,557	(-8.9)	+60.7
Heroin/Cocaine	462	528	746	746	577	517	330	(-63.8)	(-62.5)
Other	491	1,015	1,146	996	877	470	496	+5.5	(-48.9)
Adults TOTAL	13,774	17,358	18,554	23,187	24,885	23,495	24,058	+2.4	+38.
Marijuana	5,411	8,096	9,173	13,440	14,987	13,710	12,763	(-6.9)	+57.
Heroin/Cocaine	7,873	6,329	6,351	6,124	6,541	5,103	3,472	(-32.0)	(-54.5)
Other	2,106	2,933	3,030	3,623	3,350	4,677	7,823	+67.3	+166.7

Mr. RODINO. Thank you very much, and the committee hearing is adjourned.

[Whereupon, at 12:35 p.m., the committee adjourned.]



E N D