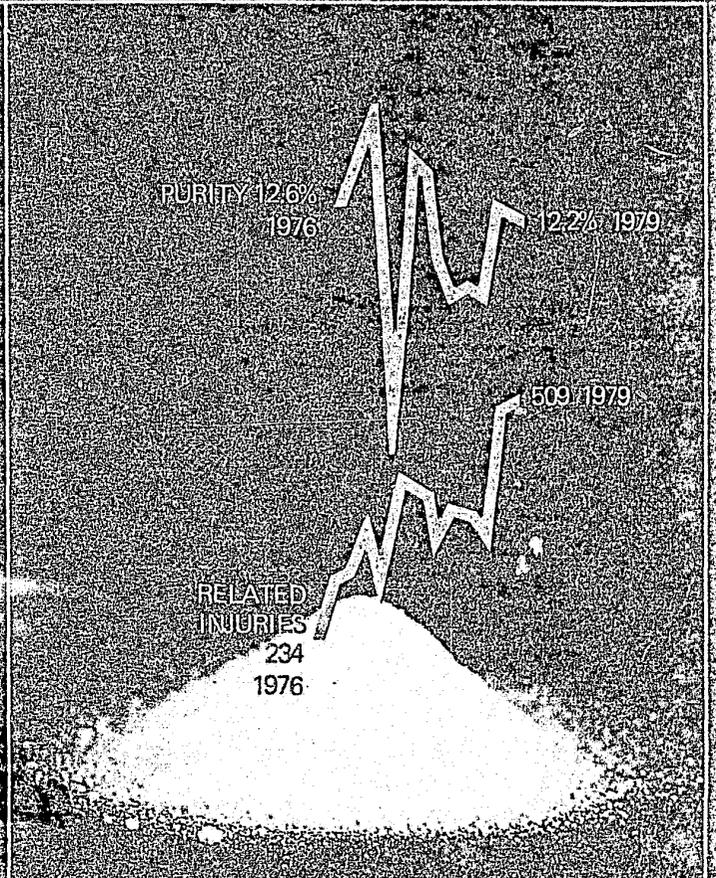
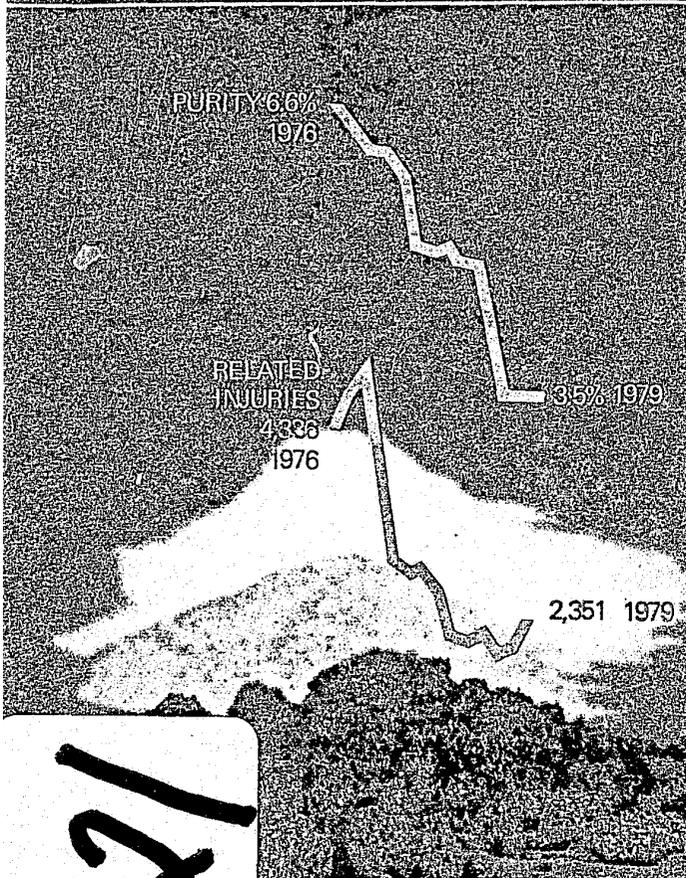


Drug Enforcement

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Table of Contents

The Northeastern Region	3
John W. Fallon <i>Regional Director</i>	
War on Narcotics in New York 64221 6	6
Robert J. McGuire <i>Police Commissioner, City of New York</i>	
The Southeastern Region	11
Frederick A. Rody <i>Regional Director</i>	
Cooperation: The Decisive Factor	14
E. Wilson Purdy <i>Former Director of Public Safety, Dade County, Florida</i>	
The North Central Region	17
Vernon D. Meyer <i>Regional Director</i>	
Hub of the Midwest Traffic	20
James E. O'Grady <i>Undersheriff of Cook County, Illinois</i>	
The South Central Region	23
Irvin C. Swank <i>Former Regional Director</i>	
Texas and the Trans-Border Traffic	26
Wilson E. Speir <i>Director, Texas Department of Public Safety</i>	
The Western Region	31
Jerry N. Jenson <i>Regional Director</i>	
Maximum Effort	34
Daryl F. Gates <i>Chief of Police, Los Angeles</i>	

64221

War on Narcotics: The State of Hostilities in New York

by Robert J. McGuire

Police Commissioner
City of New York

Any comprehensive assessment of national drug law enforcement must repeatedly invoke the metaphor of war. There are, at least implicitly, campaigns and theaters of action, weapons, manpower and momentum, and especially tactics and strategy. We are certainly, in the celebrated phrase if not the context of William James, waging the moral equivalent of war.

But war has a human face, as those who have suffered and lamented its tragedy know. When the drug war is defined solely in terms of kilos, profits, statistics, and notorious trials, the human dimension of this national but largely urban problem is obscured and minimized.

The New York City police officer is seldom oblivious to it. The geography of his patrol is often scarred with the enduring dispensations of the street pusher, as ubiquitous as the lamp-lighter of the 19th century, with terrible injury done to families and neighborhoods, boys and girls, in his wake. It is this relentless, visible wastage of lives that our police see as the rationale, the impetus, and the justification for the drug war.

Our senior commanders know the exactions in human misery made by the horde of small and middle-scale street dealers that come down like a plague of locusts in any place where a connection is to be made.

This enemy within, this not so invisible fifth column at the street level, posted at the blazing trash baskets in the cold of winter and on any random corner in the sunshine of summer, brings the terrible scourge of war to the poorest and most vulnerable among us.

In a joint effort, federal and local, our alliance is emblematic of our common conviction that the war on narcotics is crucial for the future of our cities and our country.

And progress is being made. The New York experience is instructive for all of us. In 1970, the standard heroin street sale rated 12 percent purity at \$5.00 a bag. Today the standard heroin street sale rates between 1.0 and 3.0 percent purity at \$10.00 a bag. Purities in heroin in New York are well below the 5 percent national average. In 1970, in excess of 50 percent of this nation's addict population was in New York City. Today less than one quarter live in our city. There has been a 30 percent reduction in heroin overdose deaths in the city since 1970. A dramatic increase in "beat bags"—that is, substances sold as heroin but on analysis found to be milk sugar—is evident in the street market. A stunning record of convictions of major drug violators has been achieved in New York.

The most notable, of course, have been those against Leroy "Nicky" Barnes, Carmine Tramunti, Frank Lucas, Virgil Alessi, Aniello Delacroce, Arnold Squitieri, and Steven Monsanto. And it is interesting to observe that the investigation that led to the conviction of Tramunti also led to the conviction of 140 other substantial organized crime figures in the drug field. The prosecution of Barnes led to the immobilizing of 17 separate trafficking networks in the Harlem heroin market. We have made major inroads in the street incidence and accessibility of minor narcotics dealers. In Operation Drug, over 14,000 such arrests were made over an eight-month period. Our Board of Education tells us that the volume and frequency of drug transactions and use on school property by teenagers, alarmingly high in 1971, has sharply decreased. We have noted also dramatic reductions in LSD use and a stabilizing trend in the abuse of dangerous drugs in



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the "soft" category.

There are, nonetheless, countervailing trends that are deeply distressing to me and our senior commanders at police headquarters.

While availability of Mexican brown heroin in New York City has generally decreased during the last twelve months, white heroin, of Southeast Asian origin, has become increasingly available to fill the void in the Mexican brown category. The purity of Asian heroin seized in recent smuggling investigations at Kennedy Airport was found to be a striking 92 percent purity.

In New York City, prices for the most popular street bags, New York Quarters, remain stable, indicating possibly a decrease in demand, but more likely a plentiful supply. Their average weight has marginally increased to 3.8 grams gross. They are often sold with brand names stamped on the glassine packages, and 400 of these brand names have been documented to date.

We have very persuasive evidence that major drug violators, in classic organized crime syndicates, are in the process of establishing new sources of supply and new smuggling routes from Southeast Asia to New York City. Kilogram prices for heroin have recently been quoted in New York at \$60,000 to \$120,000 depending on purity. Ounce prices for heroin range from \$1,500 to \$3,000.

Polydrug abuse is prevalent in suburban areas contiguous to the city. Several clandestine laboratories have been uncovered manufacturing phencyclidine, commonly called PCP or angel dust, and methamphetamine.

Our department views PCP and its growing incidence in the drug culture as a serious social evil. Our public parks are becoming havens for youths smoking marijuana "laced with angel dust." The drug is increasingly found in our high schools. It was the seventh most common controlled substance tested by our department's laboratory in 1978. Hospitals are reporting a

significant increase in PCP-related admissions over the past year. In the first half of 1978, PCP-related admissions more than doubled the combined totals for calendar years 1974, 1975, and 1976.

PCP is produced by a simple manufacturing process in which three to four hundred dollars worth of easily obtainable chemicals can produce 4 to 5 pounds of PCP, which will wholesale at \$600 to \$2,000 per pound. Under existing relatively light penalties, it becomes an extremely lucrative business with minimal legal risks.

The physical hazards of PCP are numerous and severe. When a significant dose is ingested, the user may lapse into coma and major convulsions, cardiac or respiratory arrest, and even death may result. It is known to store itself in the fat tissues of the brain and to have a recurring effect even after it has disappeared from the blood of the user. The drug, perhaps most significantly, has a dangerous hallucinogenic effect that usually induces unpredictable, violent behavior. We have noted several homicides and suicides by persons under its influence.

The drug's manufacture also presents a major hazard to the surrounding community. The inclusion of sodium cyanide in the synthesis process of PCP will cause the formation of a deadly gaseous poison (cyanide) if the sodium cyanide is not fully amalgamated into the compound. Beyond the potential cyanide danger, the nitrile component of the chemical is in itself toxic if released at any later stage in the synthesis. It is therefore obvious that the manufacturing of PCP creates an extremely dangerous atmosphere which exposes the entire community to great risks, under circumstances which will most likely be discovered only through tragedy. I applaud federal efforts to reclassify and upgrade the penalties for possession, sale, and manufacture of PCP. We are aggressively pressing our legislature in New York to take similar steps.

A rising demand for cocaine has been detected by our enforcement units, and cocaine purity and prices are high. Recent seizures disclose purity ranging from 20 percent for ounce transactions to 100 percent for kilogram transactions. The price range for an ounce in New York is now \$1,200 to \$1,700, and for a kilogram \$55,000 to \$60,000. Both foreign and domestic removals show alarming increases in cocaine availability in New York City.

The latest consensus figures for New York City reflect just how severely our poor and disadvantaged citizens suffer in the addiction tragedy. Though Blacks and Hispanics make up only 36 percent of our population, our Addiction Services Agency estimates that these groups represent 67 percent of the addiction population.

Our State Office of Drug Abuse Services reports that there are 644,000 drug abusers in New York State, of which 254,000 are narcotics addicts. Of these, 122,000 are street addicts not in prison, under supervision or in treatment programs. The most troublesome aspect of these street addict figures is that projections by our treatment and law enforcement agencies predict an increase by 10 percent of the street addict population in our city by the end of 1979.

Reported cases of serum hepatitis, although sharply declining from 1970 to 1973, have shown an upward trend since 1974, and this trend continues.

Our intelligence estimates indicate that for the year 1977, in the age group 14-16, nearly 12,000 started cocaine and psychedelic drug use, about 7,000 started heroin use, and nearly 100,000 started using marihuana. This estimate is exceedingly troublesome to me. It represents a tragedy, in human terms, of awful dimension. It suggests a failure, in terms of public policy, that cannot be tolerated.

The cost of narcotic addiction in New York State is conservatively estimated to have been \$4.5 billion in 1977. The major portion of this cost, \$4.2 billion, is attributed to property crimes committed by addicts not in treatment, and the criminal justice, welfare, and health-related costs generated as a result.

The total cost of drug treatment programs in New York State is \$94 million less than the total cost of retaining addicts in correctional institutions. Yet drug treatment programs provide rehabilitative services for almost three times

as many addicts as languish in correctional institutions.

So our record in New York City is one of both progress and disappointment. The law enforcement community is deeply in the debt of the unified intelligence concept, and indeed I view its establishment and implementation as the single most crucial innovation of recent years in the war on narcotics. In 1973, the City submitted a proposal to the Attorney General which urged creation of a unified intelligence division, to embrace the anti-drug racketeering efforts of the City Police, the State Police, and the Drug Enforcement Administration. The objective was the development of a *unified* strategy by these agencies. It was predicated upon the need for enforcement to become more efficient and less competitive. Turf defense, and a jealous reluctance to share critical intelligence sources and analysis, had to end. It has, and the necessity of the unified operational and intelligence concept is now irrevocably established. The genius of the technique was graphically illustrated by the conviction of Barnes, which brought personal and grateful congratulations equally to federal and city officers from the President of the United States. Those average citizens gathered in the churches and cafeterias exulted no less, and were no less grateful, for this triumph of justice.

But in the face of this common challenge, I would like to suggest some thoughts about the strategy of our planning.

The limited resources available to combat organized criminal conduct have generally been expended in traditionally target-oriented operations as opposed to a more innovative condition-oriented approach.

Put another way, law enforcement officials have sometimes sought to build cases against persons who were allegedly "kingpins" or "bosses" in real or illusory underworld syndicates. This on occasion has led publicity-conscious public officials to define as a "kingpin" or a "boss" anyone whom they happened to arrest or indict. Large numbers of such defendants have been incarcerated but their illegal rackets continue unabated.

The organized drug traffic in New York cannot be understood without reference to the inherent connection between economic power and corporate structure of the trade. The most successful drug networks function essentially

as business models. They respond to a variety of stimuli roughly equivalent to those impacting upon legitimate business: market conditions, competition, perception of the product, government regulation, cost mechanisms, and price structure.

There is a broad and often far-reaching accessorial responsibility and liability for the myriad operations of such an enterprise. The degree of complexity of organization, while difficult to penetrate, will, when once penetrated, provide the connective evidentiary tissue to tie together all functions in the enterprise, as opposed to those most visible or most proximate to the contraband. Couriers and chairmen of the board are strictly collateral to the ongoing business of a well conceived and organized operation for profit in the drug culture of our cities.

Our efforts in this field therefore ought to be condition-oriented rather than target-oriented, designed to expose and attack the illegal relationships that underlie these criminal drug enterprises and allow them to prosper. This strategic approach is long range by nature, and analytical and experimental in character. This method studies the character and functions of the illegal combination and not merely the movements or the conversations of the conspirators.

The method declines interest in the individual target, except insofar as that individual becomes a manifestation of a substantial and pervasive pattern of criminal conduct in a significant area of the drug traffic. The method joins diverse professional skills in uncovering broad patterns of illegality and developing sufficiently probative, legally admissible evidence for the successful prosecution of the condition as well as the conspirators.

Our undercover agents might seek "deep penetration" of these enterprises for long-range definition of their character and scope. This might require the forgoing of seizure opportunities of substantial amounts of contraband. Such agents might conceivably be in place for years.

Our registered informants must be interrogated for detail of not only "target" words and movements but for seemingly innocuous detailed information of the structure, procedure, dimension, and business characteristics of the enterprise under investigation. To the extent that insignificant, seemingly trivial bits and pieces of information can be woven together

into a coherent profile of the illegal enterprise, a broad attack becomes possible upon the enterprise in addition to the principals.

Our court-authorized eavesdropping must be designed to expose the character of the illegal enterprise and not merely establish evidence of an ad hoc crime. This would perhaps be the most demanding and difficult of techniques to develop successfully since the courts are properly vigilant against that widespread creature of the early 1960's, the open-ended intelligence tap.

Our plea-bargaining policies ought to reflect a commitment to the broad intelligence objectives that are the key to this approach. The defendant who provides general but no less significant intelligence information might receive the same consideration that is given for case-oriented evidence.

Analysts ought to be evaluating for us the character of the street traffic in drugs, the sources for different age groups, the fluctuations in costs and demands, and international factors as they impact on New York's streets.

The financial ramifications of these criminal enterprises have never seriously been studied. They require our urgent attention.

What I am suggesting to you, of course, is a substantial upgrading of our already successful coordinated intelligence activities. We ought to accomplish this in the context of a totally innovative and experimental approach.

This has been, and continues to be, the rationale of the coordinated multi-agency concept. We celebrate the cooperative spirit and ratify the common cause in what has been achieved and what can be achieved. I know that intelligent, systematic, and energetic labor in this field can render genuine and enduring service to the people of our city.

END