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NATIONAL INSTITUTE OF JUSTICE

BEFORE

THE U.S. CONFERENCE OF MAYORS

CONFERENCE ON CRIME AND DRUGS

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THE GRAND HYATT HOTEL

WASHINGTON, D.C.

It is a pleasure to be here today speaking to this distinguished gathering of leaders from our Nation's cities and towns.

As mayors, you know better than anyone else the reasons why this conference is necessary. Every day, you confront the tough reality that lies behind the crime and drug statistics. These numbers represent human tragedies, lives lost, and neighborhoods devastated by drugs and violence.

Although the statistics are grim, we are beginning to see encouraging signs. One is a downturn in the number of Americans using drugs, according to the most recent NIDA household survey. Another is a welcome change in public views on drugs. The latest Gallup poll shows that Americans now rank drugs as the most important problem facing the Nation. For the first time in two decades, there is now both moral clarity and political agreement about the drug issue.

Both these convictions will be urgently needed, for we still face an enormous problem. Even though drug use is down in general, the number of Americans reporting frequent use of cocaine has doubled since 1985. Drugs have become a hugely profitable economic enterprise internationally and on the streets of your cities.

"Enterprise" is exactly the right word for it, too. Drug wholesalers and retailers increasingly behave as if they are legitimate business people with an inalienable right to make all the money they can.

You have probably seen the placid face of the Medellin Cartel's financial wizard flashing across your television screen in recent days. He was just extradited to the U. S. to face Federal trial in Atlanta. Obviously, this is a person with considerable economic expertise, but no business or government could afford to offer him a salary comparable to what he made advising Colombian drug barons.

In this country, the President's Commission on Organized Crime found narcotics trafficking to be THE MOST widespread and lucrative of all organized criminal activities. It produces annual revenues of at least $100 BILLION-- more than twice the amount spent by all criminal justice services at all levels of government.

It's no wonder that those urban youth selling drugs on the street make so much money--even though they are the last link in the supply chain. It's no surprise, either, that they choose dealing drugs over entry level jobs in legitimate businesses.

But entrepreneurial youths acting alone are hardly the only concern. Entire families may be involved--a cruel mimicry of the wholesome "family business" ideal. Recent reports note that some parents of youngsters apprehended for drug dealing were reluctant--and even hostile--to having restraints placed on their children's freedom.

Why?

Because those children had become the main breadwinners for their low-income households. And because the risk of criminal justice punishment for them seemed low compared to the chance of gaining such lucrative returns.

How did we get to this point? Part of the reason can be traced to the laissez faire attitude toward drugs commonly held in the 60's -- an attitude that shaped our drug control policies in a number of ways. First, drug use was to be handled only by the criminal justice system. It was not seen as the shared responsibility of families, schools, employers,and other institutions of our society.

Second, given limited resources and weakened public resolve to punish users, criminal justice priorities shifted. The costs of drug prosecution were high. Before a trial could take place, there had to be an evidentiary hearing. In effect, criminal justice had to provide two trials, at almost twice the cost.

And if a drug user was tried and convicted, the sentence, as a rule was probation and treatment, to save prison space for more serious, violent criminals. So drug use and possession were virtually de facto decriminalized, with criminal justice concentrating instead on major dealers and importers.

Today we are seeing a growing national consensus that drug use is NOT a victimless crime. Both drug sellers and drug users ARE culpable in the cycle of profits, violence and destruction that characterize the drug scene here and abroad. The thousands of small exchanges of dollars for drugs on our city streets fuel the enormous profits and power of dealers and cartels who threaten not only lives but the stability of governments in countries like Colombia.

The President's newly announced drug control plan underscores this message: even casual use of drugs cannot be tolerated. But an effective user accountability program requires that we develop innovative sanctions that raise the stakes for both drug retailers and their consumers -- without taxing an already overburdened criminal justice system.

In the first 6 months of this year, more criminals were admitted to Federal and State prisons than in any comparable period in the past. But lack of prison space means that only the most serious offenders -- those with many prior convictions or those who commit violent crimes -- serve time in prison. Many more convicted criminals -- some 2.4 million -- are on probation and parole, often without adequate controls on their behavior. Probation officers are swamped with many carrying caseloads as high as 300.

One of the major sources of growing prison and probation populations is drugs. Expanding prison capacity and more stringent supervision of offenders in the community -- including mandatory drug testing -- are essential parts of our drug control strategy. But the effects of these measures will take time.

Right now the randomness of punishment has diminished the deterrent effect of criminal sanctions. As we work to bolster the deterrent power of criminal justice, we need to turn our attention to other tactics to regulate the drug business.

Since selling drugs is viewed as a low risk/ high gain enterprise, we need, in effect, to raise the "overhead" and escalate the operating costs--thus sharply reducing the profit margin of those who trade in the deadly commodity of drugs.

The National Institute of Justice, which is the chief research branch of the Department of Justice, is looking at ways to impose disincentives on both buyers and sellers. We are looking at how to disrupt the money-making cycle by interrupting the exchange of dollars and hitting both sellers and users where it hurts the most--their pockets.

It was Adam Smith who said we need police to keep the cost of commerce down. Well, today, we also need police to push the cost of drug commerce up--so that it is unacceptably high for dealer and user alike.

NIJ is working on a number of ideas that we believe will help create a less tolerant "business environment" for local drug markets. One new program--called "drug market analysis network," or DMA, will allow police to spot street markets early and keep dealers on the run by interrupting sales at the point of purchase.

If sellers have to move around repeatedly, many of their casual customers aren't going to be able to find them again. And the rule of commerce tells us these customers are going to be reluctant to buy from anybody new.

DMA will computerize all information about drug trafficking--location by location throughout a city or metropolitan area. Mapping and computer printouts will permit police to detect developing drug hotspots more readily and plan their strategies. These need not be only arrests. A department might decide, for example, to station a uniformed officer near a known drug market to make selling and buying more risky.

As police initiate different measures, researchers will evaluate the results in a systematic manner. Which strategies are the most effective? How do different tactics affect supply and demand? How much drug trafficking is displaced to other neighborhoods or jurisdictions by street sweeps and saturation policing? Did the strategy that worked in one section of the city necessarily work in a section across town?

Another new information tool provides intelligence crucial to you as city executives who must stretch resources to deal most effectively with drug abuse and the crime and chaos it causes in communities. NIJ's Drug Use Forecasting program -- or DUF as we call it -- gives you a tool for more accurate diagnosis of local drug problems. DUF objectively measures through urinalysis -- not dubious self reports -- just how extensive drug use is among arrestees in 22 of our major cities--and tracks shifts and patterns in use.

With DUF, we have already learned that although drug use appears to be going down in the general population it is going up in the arrestee population. Recent drug use in arrestees is more than 10 times higher than is reported in surveys of persons in households or senior high schools. More than half of arrestees tested positive for at least one drug during the last quarter of 1988 -- with the level in some cities running as high as 82 percent.

We talk in terms of "the drug problem," but in reality there are many drug problems and they vary -- from city to city, neighborhood to neighborhood, from week to week and month to month.

Regional trends from DUF data indicate the diverse nature of drug problems different cities confront. Cocaine was found in all cities, while PCP was limited primarily to Washington, D.C., and St. Louis. Amphetamines were limited primarily to San Diego and Portland, Oregon. Opiates (heroin) are found primarily in female arrestees in Washington, D.C., Portland, Oregon, and San Antonio.

DUF offers participating cities a unique profile that allows managers to allocate resources. Obviously, you need different enforcement tactics against PCP than you do against crack and heroin. Different drug use patterns also require different education and treatment strategies.

DUF also brings into sharper focus the implications of drug use for a host of community concerns such as public health and child abuse and neglect. Preliminary findings from other Institute research indicate that drug test data have a forecasting potential that can help cities estimate not only changes in future crime rates but also drug overdose deaths, drug-related emergency room admissions and child abuse and neglect by as much as one year in advance. This data can be a solid basis for assigning resources and holding various agencies accountable.

DUF results also gives cities baseline information for measuring the results of drug interventions. As you reinvigorate your efforts against drug markets, we want to see this "Dow-Jones" indicator of drug use begin to drop -- right along with drug profits and drug sales volumes.

There are an encouraging array of imaginative tactics now being tried by police in a number of cities to attack the economic underpinnings of drug markets. New York City uses what it calls the Tactical Narcotics Team (TNT), composed of 117 officers sent into a small area of the city to saturate it; do buy/busts; and put enough pressure on to virtually rid the area of the drug traffickers by making the risk of "business as usual" too great.

Then other city agencies move in to complete the job, to clean up the area and to get landlords and businesses to fix up their properties--to remove the visible signs of disorder and deterioration. With good community support, this can happen within a 90-day period. Then the TNT team moves on.

NIJ is supporting an evaluation of the program. One thing we want to learn in New York is how long the effect lasts after the 90 days. When does the problem re-emerge? When should the police go back in to reinforce the cleanup? How many officers need to be sent back in--two, fifteen, seventy? And finally, what effect do such enforcement strategies have on property and violent crime rates in an area?

Another novel approach is the new Demand Reduction Program in Maricopa County, Arizona. This cooperative effort by 26 law enforcement agencies targets casual drug users from all walks of life. The objective is to get these users to change their attitudes and reduce demand for drugs. A public service advertising campaign, developed by private-sector time, talent, and money, is spreading the message: "Do Drugs. Do Time."

Users who are arrested are booked on a felony charge and spend at some time in jail. But first-time users are given an option. They may enter a one-year counseling and treatment program as an alternative to prosecution. The user pays the cost of the program, which can run $2,500 to $3,000, although the fee is waived in hardship cases.

If the user completes the program, the felony charge is dropped. If not, the case is prosecuted.

Those who break the law need to know they will do so at some personal cost. Most casual drug users receive no sanction and perceive little threat to continuing their lifestyle. We can change that without raising the cost to taxpayers with a series of graduated sanctions that put the burden of costs on them. We need to expand the range of sanctions available to deal with them.

In Staten Island, New York, for example, NIJ researchers are assessing the effectiveness of day-fines for offenders that can be collected as a routine part of a city's fine collection procedures. These could work for drug users arrested for the first time, whose profile would not typically result in jail time. An initial fine of perhaps $100 could be imposed. If the offender failed to pay up, then tougher measures would be imposed -- increasing the fine, mandatory drug testing.

The privilege to drive or be licensed to practice a profession also can be at risk. Some state and local jurisdictions are suspending drivers licenses and putting other professionals' licenses in jeopardy as a way of deterring casual drug use.

Greater application of RICO laws has also expanded the seizure of capital invested in condominiums, ships, planes--and even horse ranches. Seizing assets is more than just punishment. It has the potential for cutting off capital for restart up costs for drug traffickers and users.

There are many options available to us in fighting drugs. Now that the Nation has been aroused to recognize the challenge we face, we can act. It was Edmund Burke who said that "all that is necessary for evil to triumph is for good men to do nothing." That may have been how we got into the current drug crisis. But today, city officials, law enforcement, schools and average citizens are no longer just sitting by. We are all working to counter the evil of drugs -- and we will succeed.