DRUG ABUSE AND ORGANIZED CRIME IN NEW MEXICO

A REPORT ON THE PROBLEM AND THE RESOURCES BY THE GOVERNOR'S ORGANIZED CRIME PREVENTION COMMISSION

THIS REPORT IS DEDICATED TO

WILLIAM TARANGELO (1924 - 1976)

A DEDICATED SERVANT

OF

LAW AND JUSTICE

TO THE GOVERNOR AND MEMBERS
OF THE NEW MEXICO LEGISLATURE

For years drug trafficking has been a profitable business for organized criminal groups. The Governor's Organized Crime Prevention Commission recognizes its statutory duty to investigate the problem and recommend action. The report which follows is our effort to provide the most comprehensive portrait possible of drug abuse and its relationship to organized crime in New Mexico.

The portrait is not a comforting one. The forces of criminal conspiracy—major narcotics traffickers and large-scale marijuana smugglers—are well-organized, well-financed, and well-equipped. They have clearly outmatched the public resources which are trying to counter them.

Your leadership and your action are necessary if organized drug trafficking is to be effectively controlled in New Mexico. We recommend a number of steps toward that goal which can and should be undertaken promptly. Top priority should be given to: Implementation of a statewide Drug Enforcement Coordinating Council and Drug Intelligence Information Network; Formation and Funding of a Major Offenders Unit in the State Police Narcotics Division; and Establishment of record-keeping systems that accurately reflect the effectiveness of drug law enforcement and treatment programs.

For too long the major narcotics traffickers and marijuana smugglers have mocked the limited capabilities of our state and have enjoyed their tax-free gains with little fear of penalty. This report is the Commission's call to action. We have provided specific recommendations directed to specific officials. It now rests with every public official and public employee with responsibilities in drug enforcement and treatment to make sure the job is done.

Our cooperation is assured.

Respectfully,

Brother Cyprian Luke, Chairman

Ray R. Baca

Robert H. Beck

Theodore F. Martinez

Eddie L. Pena

Arthur H. Spiegel

S. Thomas Overstreet

Charles C. Spann

Leo J. Valdes

Harris L. Hartz
Executive Director

STAFF OF THE GOVERNOR'S ORGANIZED CRIME PREVENTION COMMISSION

DURING THE STUDY PERIOD

EXECUTIVE DIRECTORS:

Sam Papich 1973 to 1977

Harris Hartz 1977 to date

STAFF PROJECT ASSISTANCE BY:

William Tarangelo

John F. Donohue

Anthony Otero

Harry Heyman

Jane Yaker

Frederick Armayor

John Bradford

Val McClure

PROJECT CONSULTANT:

Peter A. Lupsha, Ph.D., Associate Professor

Political Science, University of New Mexico

PROJECT RESEARCH ASSISTANT:

Kip Schlegel

STUDY PERIOD: September, 1976 - February, 1978

THE COMMISSION: During the Study Period

Brother C. Luke, Chairman 1977 to date

Arthur H. Spiegel, Chairman 1973 to 1977

Ray A. Baca

Robert H. Beck

Theodore F. Martinez

Eddie L. Pena

S. Thomas Overstreet

Charles C. Spann

Leo J. Valdes

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PREFACE

On September 8, 1976, the Governor's Organized Crime Prevention Commission began the first comprehensive series of hearings on drug abuse and its relationship to organized crime ever undertaken in the State of New Mexico. The purpose of these hearings was: (a) to assess the nature and scope of illicit drug use and abuse in the state of New Mexico; (b) to examine the relationship of organized criminal conspiracies to smuggling, trafficking and distribution of illicit drugs; (c) to study the capability and effectiveness of law enforcement agencies, local, state and federal, in dealing with illicit drug use and trafficking; (d) to assess the role of the courts and prosecutors in enforcing the laws regarding illicit drug use, trafficking and distribution; and (e) to expose bottlenecks and inefficiencies in the system.

Since interdiction of supply is but one part of the supply and demand equation, the Commission also interviewed and took testimony from medical doctors, drug treatment experts, hospital administrators, probation officials, addicts, and criminal justice planners regarding methods of curtailing demand through alternative treatment, rehabilitation and educational programs. Thus, all modes of dealing with the drug problem—from local law enforcement, to interdiction of smuggling along our border, to treatment and rehabilitation—were examined.

In all, several hundred individuals were interviewed and 174 participated in the hearings which were held in every corner of the state. More than 78 agencies filled out mail questionnaires assessing their resources and roles in coping with the problem of drug abuse. And more than 3,360 pages of testimony were transcribed and 12 hours of tape recorded. Appendix A lists the names of those who participated in the hearings.

From this study the Commission can now make recommendations regarding changes in the system to enhance the capabilities of law enforcement to deal with organized criminal conspiracies engaged in drug trafficking, and to improve the rehabilitation and treatment of the drug dependent person.

It is never easy to assess the concrete achievements of holding hearings of this type. Yet in the case of these hearings we have already seen tangible results. For not only have drug abuse, law enforcement, and rehabilitation problems been spotlighted for citizens residing in the communities where our hearings have been held, but also greater communication, coordination, and cooperation among law enforcement agencies has occurred. Specifically, the Commission through these hearings assisted in: (a) developing an "accord of cooperation" between the federal Drug Enforcement Administration (DEA) and state and local law enforcement agencies; (b) helping to promote the creation of the Southwest Area Coordinated Narcotics Strike Force—a group of law enforcement agencies striving to coordinate drug intelligence and law enforcement in the

Southwestern region of the state; and (c) working to develop greater cooperation and coordination of law enforcement in New Mexico with the Arizona Department of Public Safety and the Arizona Border Counties Narcotics Strike Force. These efforts are already evolving into a coordinated drug intelligence system and strike force involving New Mexico, Arizona, Colorado, and Utah. Some form of state and region-wide drug intelligence and strike force capability is essential if the organized trafficker is to be stopped. In addition, these hearings have also helped to promote greater cooperation among various law enforcement agencies in the Southeast region; promoted steps to establish full-time drug officers in Carlsbad; and attempted to promote greater communication between law enforcement and those involved in the treatment and rehabilitation of narcotics addicts.

If these were the only achievements of this period of hearings, investigation, and analysis, we would still feel a solid step forward in the battle against drug trafficking and drug abuse had been taken. But as the reader will see from the report that follows, much more has been gained from these hearings. Hopefully, our analysis of the extent of drug abuse, particularly heroin abuse, and the role of organized criminal conspiracies in the trafficking, distribution and transshipment of illicit drugs within and through the state of New Mexico will help set an agenda for suppressing organized crime as well as for developing a statewide strategy for combating drug trafficking and drug abuse.

CHAPTER ONE

THE NEW MEXICO CONNECTION

In 1972, when law enforcement agencies in the United States and abroad broke what became known as "The French Connection," only about 20% of the heroin entering the American market was Mexican "brown." By 1977, over 80% of the heroin used in the United States came from the Republic of Mexico. In five short years the patterns of production, processing and distribution had moved from the Northeast to the Southwest, in particular to the states of California, Arizona, New Mexico and Texas, whose southern borders make up our 1,745-mile boundary with the Republic of Mexico.

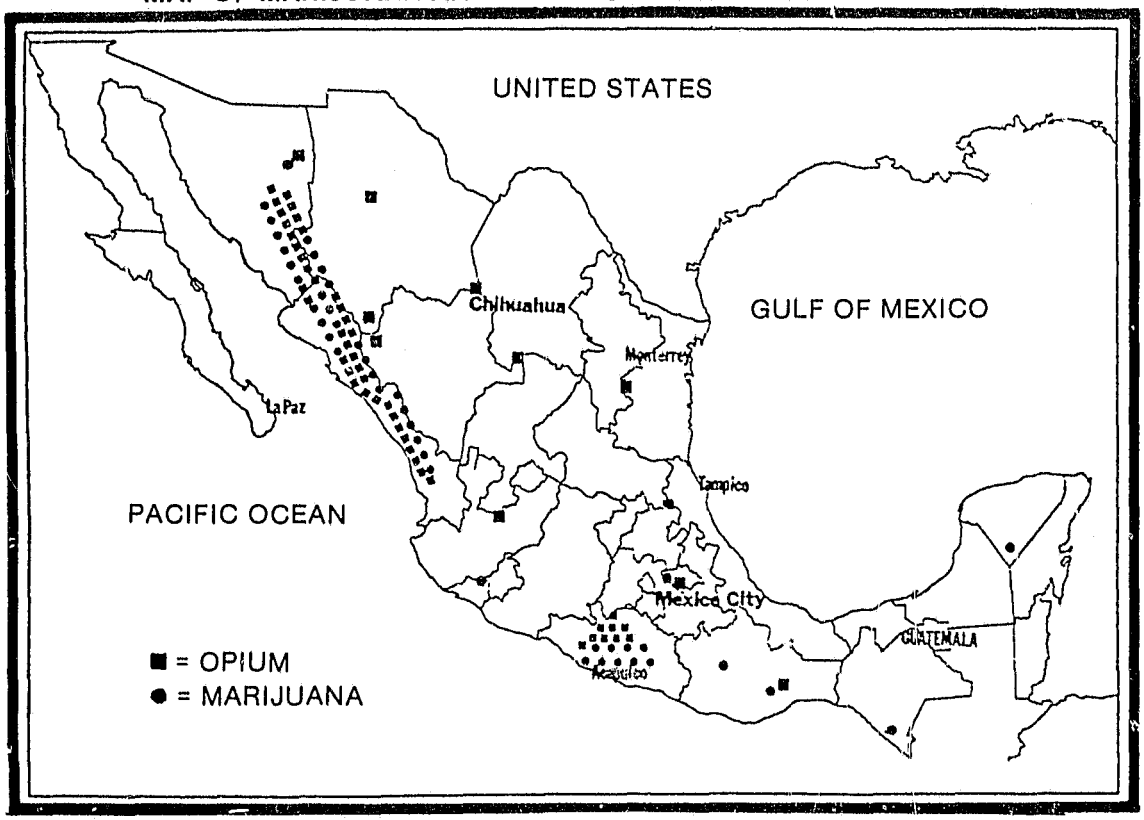
In addition to heroin, this border, and these states, are major ports of entry for two of the most popular illicit drugs entering the American market: marijuana and cocaine. Cocaine is transshipped through Mexico from the west coast of South America, while marijuana, the most common illicit drug consumed in the United States, is produced, along with opium for heroin, within Mexico and smuggled by air or on the ground across the border.[1] Figure 1.1 shows the major opium and marijuana production areas within the Republic of Mexico. The opium is converted into heroin in clandestine laboratories just south of the border prior to its shipment into the United States.

The extent of these border problems was officially recognized in May of 1977 when the United States and the Republic of Mexico jointly participated in the first Southwestern States Conference on Crime and the Border. The purpose of this and subsequent meetings was to create greater cooperation and coordination of law enforcement on both sides of the border in coping with our mutual problems of crime, smuggling and trafficking in illicit drugs.

For the citizens of New Mexico these meetings emphasize our state's interdependent position with our neighbors along the border, as well as bring home the fact that any weak link along this border is likely to be developed and exploited by organized drug traffickers. Although the border itself is a Federal responsibility, the border states, their law enforcement agencies, and their citizens are directly affected by what takes place along it. This is particularly true for New Mexico, for while only some 147 miles directly touch the international border, this area is one of the most sparsely settled sections of the border. In addition, our long southeastern boundary with Texas, which is directly aligned with the "Big Bend-Ojinaga drug flyway" from Mexico, means that our state and local law enforcement must bear a major share of an international enforcement effort.

FIGURE 1.1

MAP OF MARIJUANA AND OPIUM GROWING AREAS IN MEXICO



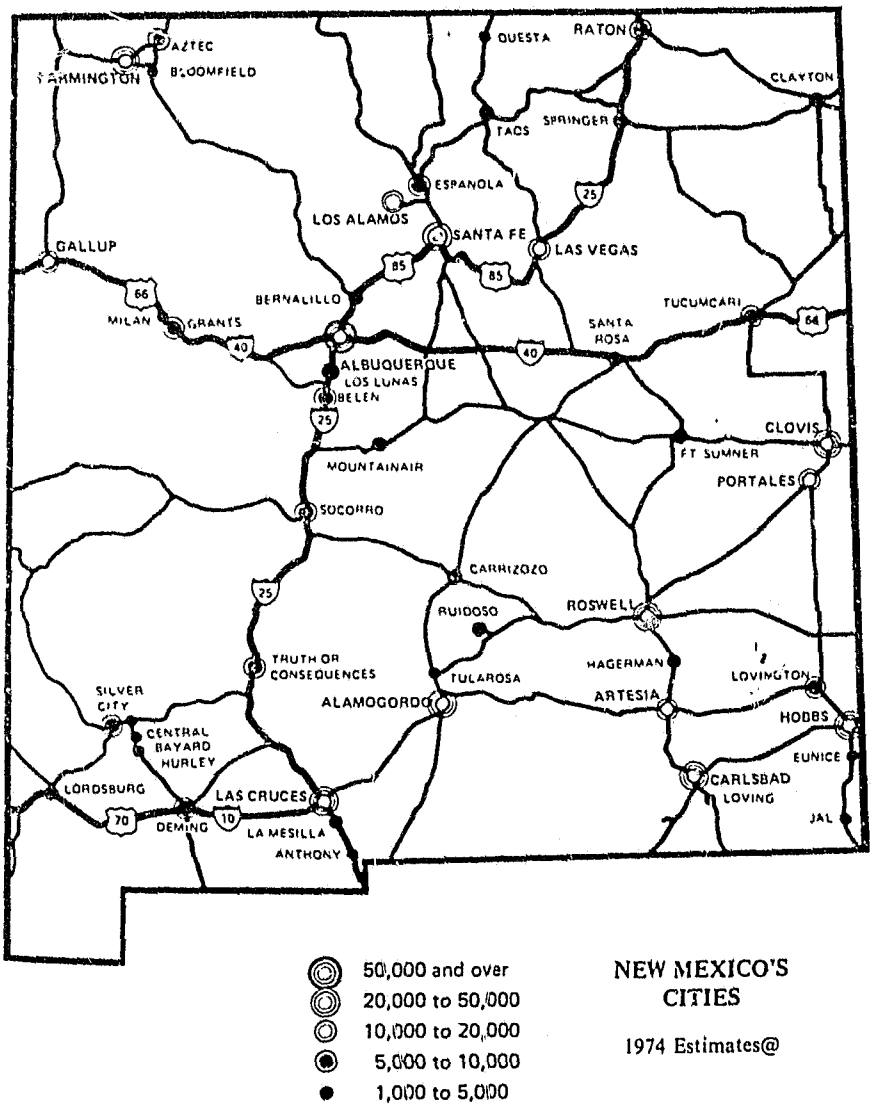
Source: *The Global Connection: Heroin Entrepreneurs.* U.S. Senate Committee on the Judiciary; Subcommittee to Investigate Juvenile Delinquency hearings, July-August, 1976 (Washington, D.C.: U.S. Government Printing Office, 1977). p. 762.

NEW MEXICO: THE WEAK LINK?

New Mexico, with an average population density of 7.8 persons per square mile, and a number of counties averaging fewer than three persons per square mile, contains all the attributes for making it attractive to those engaged in the wholesale trafficking of illicit drugs (see Map, Table 1.1). The large physical size of the state and its low population densities are obvious factors. To this we may add favorable terrain such as the Caprock region, the Animas and Playas valleys, and hundreds of thousands of acres of Wilderness and National Forest; hundreds of miles of straight, seldom traveled, paved highways; and more than 300 abandoned, seldom used, or unattended airfields.[2] In addition, two of the major interstate East-West highway systems (I-40 and I-10) and one major North-South interstate (I-25) cross New Mexico. Thus, any major road traffic moving from the western coastal opium and marijuana producing regions of Mexico to the urban areas of the midwest or eastern regions of the United States is likely at some point to cross the state. Such physical attributes make New Mexico attractive to both the air and ground smuggler.

TABLE 1.1

MAJOR POPULATION AREAS AND ROADS IN NEW MEXICO



@Source: Bureau of Business and Economic Research, *New Mexico Statistical Abstract*- 1977.

DRUG TRAFFICKING: A BIG BUSINESS

The Drug Enforcement Administration (DEA) has estimated that annual retail sales of heroin in the United States amounted to $7 billion in 1976.[3] The money to be made in trafficking is immense.

In January of 1978, a pound of heroin wholesaled in Mexico for between $4,500 and $6,000, depending on quality. The pound could then easily fit into an attaché case or be secreted within a door panel of a private plane used by a "legitimate" businessman or professional and be sold in Albuquerque for $16,000 and up.[4] The profit per pound would be at least $10,000.

But there is much more profit to be made by a series of middlemen before the addict on the street obtains his "cap" of heroin. A "cap," which costs $5, is a small foil containing about a tenth of a gram of substance. Only a fraction of that substance is heroin. The various middlemen in the distribution network each "cut" or "step on" the heroin; that is, they dilute it with other substances, often neutral substances such as milk sugar (to expand volume) or strychnine (to increase the rush or "high") or both. Unfortunately for the user, the poorer the quality of the original heroin, the more strychnine tends to be used and the more deadly the cumulative experience.

The heroin sold in "cap" form is often diluted by at least a factor of 15 or 20 from the heroin obtained in Mexico. (Mexican heroin itself contains substantial impurities because it is processed in backyard or bathtub laboratories, unlike the heroin of the French Connection which was processed in pharmaceutical-type laboratories.) The pound (454 grams) of heroin brought to Albuquerque thus suffices to produce at least 68,100 caps selling at $340,500. The gross profit, shared by the smuggler and the middlemen, is over $300,000 a pound.

Similarly, large lot air and ground smuggling of marijuana is big business within and through the state. Indeed, it often turns a larger per unit profit and has a greater gross than the heroin business. The full economic impact of the marijuana trade is, however, hard to estimate.

A small planeload of marijuana (500 lbs.) cost $4,500 in Mexico in July of 1977.[5] It wholesales in the United States for $45,000. The average planeload flying into New Mexico is between 800 and 3,000 lbs. and has an average "street" value—depending on quality and grade of the marijuana and site of sale—of $100,000. One ground smuggler who services northern Colorado and frequently transships through New Mexico and Arizona turns $10,000 invested to close to $90,000 return by dealing only in "primo"-"grade A" quality Oaxaca marijuana. Working only a few months each year, he is reported to have a gross annual income of $300,000.[6]

By the time the marijuana gets to its ultimate retail user, one can obtain between 500 and 700 marijuana cigarettes to a pound. Depending on the quality of the marijuana, the individual cigarettes cost between 50¢ to $1.00, sometimes more for very high grade marijuana. The street value of 1000 pounds of marijuana is therefore

anywhere from $250,000 to $700,000 which makes the $9,000 initial cost of the marijuana in Mexico seem almost negligible. The profit of $200,000 to almost $700,000 can amount to more than the 1977-78 budget of $320,000 for this Commission and the $650,000 expenditure by the state police for drug enforcement in fiscal year 1976-77.

Given this return to investment, it is easy to understand why criminal organizations engaged in drug trafficking make use of the most sophisticated methods, technology, and equipment in a continuous search for the weak links in law enforcement along the border.

ORGANIZED CRIME AND DRUG TRAFFICKING

> "The racketeer is not someone dressed in a black shirt, white tie, and diamond stick-pin whose activities affect only a remote underworld circle. He is more likely to be outfitted in a gray flannel suit and his influence is likely to be as far-reaching as that of an important industrialist."
>
> —*Robert F. Kennedy*
>
> (cited, Cressey **Theft of the Nation**)

In spite of the late Senator Kennedy's comments, many Americans (and most New Mexicans), when they think of organized crime, are inclined to think of scar-faced Mafiosos or some other Hollywood image of the "Godfather." Unfortunately this image is out of date. It is not so easy to describe the face of organized crime in America or in New Mexico. The organized criminal of today is not your underworld character using murder and mayhem to gain riches and, hopefully, respectability. Today's organized criminal is likely to be college educated, a professional who associates with the business and professional communities, who knows and uses the law and technology, as well as his associates, for criminal purposes. He may have any ethnic background, and he is likely to engage in murder and mayhem only as a last resort, and then usually through paid agents or third parties.

When we speak of organized crime and the structure of organized criminal drug conspiracies in New Mexico, we are not talking about a monolith like the Mafia which handled the Turkish/French heroin distribution network, more commonly known as the French connection. Figure 1.2 illustrates this structure. We are instead talking about a wide variety of levels of organization and distribution and patterns which vary widely depending upon the type of drug being smuggled. Thus organization can be next to non-existent as in the case of the independent heroin trafficker who, with limited capital, invests in an ounce or half-ounce, moves it across the border personally, cuts it himself, sells part for costs and profit, and keeps part for personal use. Such an individual is part of an organized criminal conspiracy only in the sense that he has a contact to acquire heroin and a mchanism to distribute it. Under many notions of organized crime, this minor level organization and structure would not fall under the rubric of organized crime.

At the opposite end of the continuum, there are structures of criminal heroin trafficking organization which have characteristics similar to the Mafia: extended families of related individuals connected by blood, marriage,

ethnicity and language into a homogeneous unit which has control over every aspect of the heroin traffic, from the production of the opium poppy and its conversion in laboratories into heroin, to its wholesaling, transportation, distribution, and retailing on streets thousands of miles from the source of production. Figure 1.3 illustrates this pattern of organization.

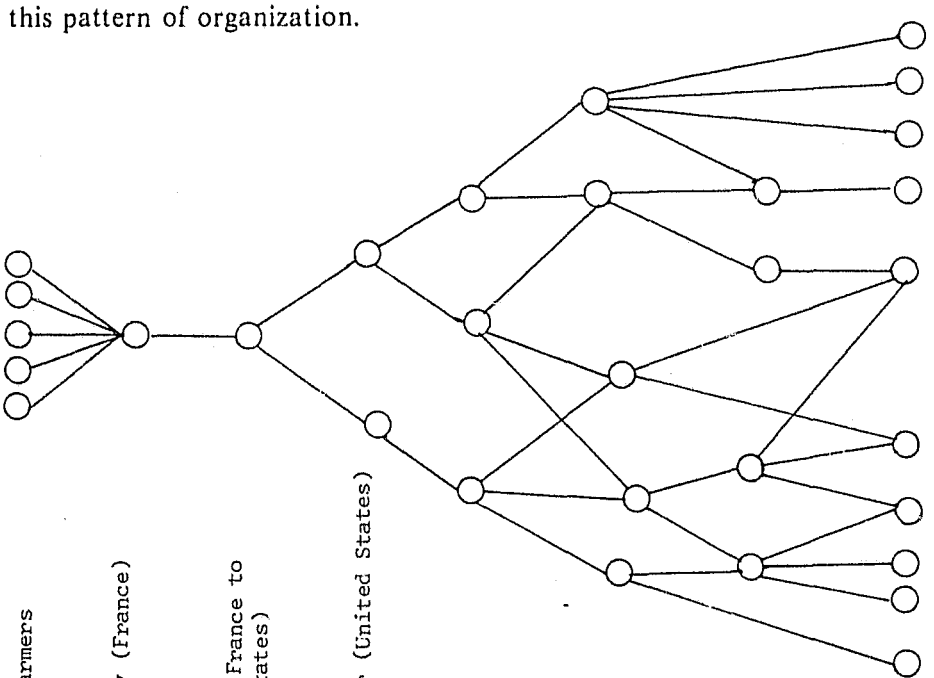


Figure 1.2 Example of Turkish/French Heroin Distribution Network

Source: Illinois Legislative Investigating Commission, The Heroin Highway (Chicago, 1976) p.132.

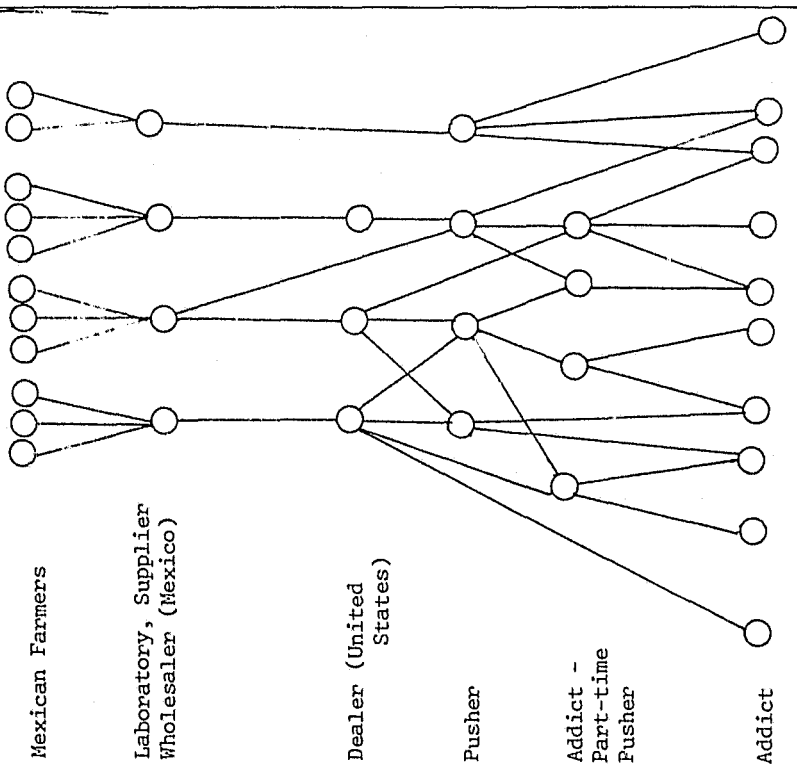


Figure 1.3 Example of Mexican Heroin Distribution Network

Source: Illinois Legislative Investigating Commission, The Heroin Highway (Chicago, 1976) p. 133.

Similarly, in the large lot smuggling of marijuana, organizations can vary from small two-to-four-person operations smuggling a few hundred pounds of "grass," to complex conspiracies involving fleets of aircraft, ground crews, storage warehouses, and multi-state distribution networks. At this level of organization one has specialization of labor, political connections, financial management (capital accumulation and investment), sophisticated technological systems (communications, aircraft, trucks, weapons, and navigation), research and development, organized distribution and marketing systems—in short, all of the attributes of the modern business corporation.

In New Mexico one can find all forms of operations—from the small-time addict-dealer who operates alone or with the assistance of associates in the Republic of Mexico, to the mafia-style Mexican family which is part of a drug network that extends from the poppy fields of Durango and Sinaloa through clandestine family-operated laboratories in Nogales and Juarez all the way to the streets of Albuquerque, Las Vegas, Pueblo, Oklahoma City or Chicago; from the Silver City high school kid who sells three lids of marijuana in order to get one free, to air smugglers whose operations are as complex and efficient as a commercial air carrier.

The higher levels of organized criminal activity and the type of organized criminal conspiracy that we normally think of as organized crime have the following characteristics: (1) They are profit rather than use motivated; (2) They possess, or have access to, large scale capital, drug financiers and "bankers"; (3) They have continuity of operations and organizational structure; (4) They have a specialized division of labor, skills, and operations; (5) They tend to have an ongoing influence (usually indirect—through money, equipment, arms, technology) over aspects of the production, processing, distribution, transportation or marketing systems. Table 1.2 illustrates this schematically.

A DILEMMA FOR LAW ENFORCEMENT:

Returning briefly to compare Figures 1.2 and 1.3, which illustrate the differences between the traditional mafia-based heroin distribution system and the Mexican model, some of the problems of law enforcement in attempting to deal with organized drug trafficking can be seen.

Where the tight hierarchical organization of the Turkish/French network provided obvious targets at the wholesaler and supplier levels for breaking and ending the entire operation, the Mexican heroin network is rarely controlled by a single individual or one organized source of supply. As Figure 1.3 shows, it is possible under the Mexican system for a well-connected street-level pusher to deal directly with Mexican suppliers. The job of law enforcement, therefore, is complicated because the network can easily survive the loss of an individual member. Another obvious complication is that the Mexican network contains numerous relatively independent

and separate suppliers, wholesalers and importers. This is quite different from the pyramidal organizational structure of the "French Connection." It means that the breaking up of any one organization has only very limited impact on the total supply, and that even the very best efforts at interdiction can never produce the dramatic effects on supply that occurred in the 1972-73 period with the destruction of the "French Connection."

TABLE 1.2

ORGANIZATIONAL SCHEMATIC OF DIFFERENT LEVELS OF ILLICIT DRUG TRAFFICKING COMMON TO NEW MEXICO

LEVEL & TYPE OF ILLICIT DRUG OPERATION*	TYPICAL ORGANIZATIONAL ATTRIBUTES					
	Access to "Bank" capital	Capital for large-scale Investment	Continuity of Membership & Roles	Specialization of Tasks	Regularization of Operations	Organizational Motivation
HIGH LEVEL:						
Ground-Level Heroin Smuggling	YES.	YES.	YES.	YES.	YES.	PROFIT.
Air Smuggling Marijuana & other drugs.	YES.	YES.	YES.	YES.	YES.	PROFIT.
MIDDLE LEVEL:						
Ounce & Multi-gram heroin.	DEPENDS.[1]	YES.	YES.	NO	YES.	PROFIT-USE.
Kilo-pound marijuana.	NO.	NO.	DEPENDS.[2]	NO	NO.	PROFIT-USE.
Prescription Drug Burglary Operation	NO.	NO.	DEPENDS.	YES	YES.	PROFIT-USE.
LOW LEVEL:						
Ounce-milligram Heroin	NO.	NO.	DEPENDS.	NO	NO.	USE-EXPENSES.
Pounds or less (lids) marijuana	NO.	NO.	NO.	NO	NO.	USE-EXPENSES.
Prescription forgery abuse-Medial cabinet theft	NO.	NO.	NO.	NO	NO.	USE.

*List is typical not all inclusive. 1-depends on connections with higher organizational levels.
2-depends on affective ties to group or individuals.

DRUG TRAFFICKING IN NEW MEXICO:

The border of the United States and the Republic of Mexico has always had its share of criminal activity. The smuggling of people, guns, trucks, heavy equipment, appliances, or whatever is profitable has a long history. Whole generations of families on both sides of the border—many residing in New Mexico—have made their living as smugglers of one sort or another. Only recently have illicit drugs, heroin, cocaine, amphetamines and synthetic pills, powders and pastes become a major part of the international traffic. But today it is a major enterprise.

Part of this growth in organized smuggling and transshipment of illicit drugs is a result of (a) the expansion of demand for marijuana and cocaine which traditionally have had Mexican and Latin American sources of supply; (b) the destruction of the "French Connection" in 1972; (c) the winding down of the Vietnamese conflict with the subsequent reduction of trafficking in Asian White heroin by U.S. military personnel. The development of the Mexican brown heroin market as the major source of the U.S. heroin supply and has greatly expanded organized trafficking along the border. Table 1.3 illustrates this growth in the availability of Mexican brown heroin in the United States.

The increase in trafficking and smuggling in New Mexico is shown by items such as the following which appear daily on the back pages of newspapers:

*ITEM: Deming, New Mexico (1974). U.S. Customs agents seized 37 lbs. of heroin in a false gasoline tank of an automobile.

*ITEM: Pueblo, Colorado (1975). 11½ lbs. of heroin seized after being followed from Mexico, across New Mexico to Colorado.

*ITEM: Columbus, New Mexico (1976). DEA agents seized 25 lbs. of heroin destined for Chicago, Illinois.

*ITEM: Lordsburg, New Mexico (1975). Electronic sensors alerted U.S. Border Patrol to two stake trucks carrying 16,100 pounds of marijuana.

*ITEM: Cebolla Lake; Deming, New Mexico (1976). Two "molasses" tank trucks seized carrying multi-ton loads of marijuana although protected by a pick-up truck, scout car, and airplane all equipped with C.B. radios.

*ITEM: Mountainair, New Mexico (1977). Two Denver men arrested, but airplane involved in incident eludes U.S. Customs pursuit helicopter.

*ITEM: State Road 172—East of Caprock, Lea County, New Mexico (1977). 750 lbs. of marijuana destined for New Orleans' Mardi Gras, seized by New Mexico State Police officers.

Such stories attest to the fact that organized drug smuggling is not just an activity carried on by college kids supplying a joint or lid to their friends, or high school students growing their own, or even the addict/part-time pusher who sells two grams of heroin in order to support a one-gram habit.

Table 1.3. **Trends in Mexican Brown Heroin's Share of the United States Heroin Market in Select Cities.** 1972-1975

CITY	1972	1973	1974	1975
Boston	7%	8%	50%	100%
New York	8%	8%	21%	83%
Philadelphia	---	22%	50%	83%
Miami	11%	42%	94%	80%*
Detroit	39%	94%	93%	94%
Chicago	33%	48%	100%	100%
Kansas City	89%	94%	83%	88%
Dallas	75%	91%	100%	97%*
Los Angeles	83%	85%	97%	100%
Denver	90%	100%	96%	93%*
Albuquerque@	NA	(100%)	(100%)	(100%)

Source: DEA Testimony; U.S. Senate Hearings, *IRS: Taxing the Heroin Barons*, July-August, 1976 (Washington, D.C.: U.S. Government Printing Office, 1977) pp. 8-9.

@Albuquerque placed here for comparative purposes. It was not part of the federal study, 1973 thru 1975 figures from National Institute on Drug Abuse.

*Note: Some cities are beginning to see an increase (quite small) in Asian or Turkish White.

HEROIN SMUGGLING:

Heroin and cocaine are easily hidden and can be shipped profitably in small quantities (pound and kilo units) in vehicles or imported objects (statues, saddles, etc.) crossing the border by mail or in the hands of "businessmen" returning from apparently legitimate trips to Mexico.[7] In addition, many smuggling organizations employ "mules"—individuals who carry small quantities of drugs in return for a price or a share of the product. One Albuquerque dealer is reported to have 79 "mules" working for him.[8]

It is in the use of "mules" that drug trafficking becomes intimately involved in another critically important border issue: illegal aliens. At Columbus, New Mexico, alone, an average of 15,000 aliens and 11,000 U.S. citizens cross the border into New Mexico each month. These are legal crossings.[9] One can only guess at the illegal crossings here and in Texas.

[10] Some of these individuals are simply "free-lancers" carrying whatever amount of heroin they can afford as a "nest egg" to help them start a new life in the United States. Others, however, are "mules" employed by drug traffickers to transport an ounce or two across the border hidden within contraceptives and placed inside one's mouth. If there is danger of discovery, the evidence can be swallowed and retrieved later; if not, the heroin can be moved after crossing the border. One irony in the regular "mule" traffic is that, after delivering the goods in Las Cruces or Albuquerque, the "mules" can return to Mexico for the next trip courtesy of the American taxpayer simply by turning themselves in (or having it done for them) to U.S. Immigration and Naturalization authorities for the free ride home.[11]

In addition to this two-way human traffic related to drugs, our hearings indicate that there is active movement of stolen goods—from aircraft and heavy equipment to trucks and guns—from New Mexico across the border into the Republic of Mexico.[12] Property taken in the morning can be out of the country by nightfall either to be used in drug trafficking or as barter in exchange for drugs, without any border check on whether the vehicle or property crossing southward has been reported stolen. Indeed, according to one report, New Mexico U.S. Senator Harrison Schmitt's own vehicle, stolen from the Albuquerque International Airport, is now in use by drug traffickers in Chihuahua, Mexico.[13] This daily flow of unchecked stolen property out of New Mexico and other border states helps fuel drug trafficking within them, and needs to be stopped.

Legislation has been introduced in California to establish southbound border checkpoints to prevent the transportation of stolen property from California into the Republic of Mexico.[14]

RECOMMENDATION: *The Criminal Justice Department should observe and evaluate southbound border checkpoints that may be established in California. If they are found to be successful, the legislature should approve legislation and funding for similar checkpoints in New Mexico.*

AIR TRAFFICKING:

Unlike the hard drugs, marijuana can be readily detected by its odor and large quantities must be smuggled in order to amass large profits. These factors have led major smugglers to employ aircraft to transport marijuana into the United States.

Given the topography of the state of New Mexico, its sparsely settled open spaces, and the limited resources of

law enforcement, it is obvious why a number of air-smugglers find New Mexico to be an attractive area of operation. As the state's Attorney General recently noted:

> "Catron County, New Mexico, is an area of over 7,000 square miles with a population of under 2,000 people. It has a sheriff and one part-time deputy. It also has over 100 clandestine landing strips for airplanes carrying loads of heroin, cocaine and marijuana."[15]

The Attorney General chose to emphasize remote Catron County, but similar statements could be made about confirmed landing sites for drug smuggling aircraft in almost every county in New Mexico. Figure 1.4 shows some of these major sites and frequently used air routes from Mexico into the state, while Table 1.4 indicates the trends in air smuggling as gauged both by arrests and by accidental crashes. Another indication of trends is the number of thefts of aircraft for drug smuggling. Earlier in the 1970's such thefts were just a California and Arizona problem. But by 1977 at least six were stolen in New Mexico, four in the final two months alone.

These charts and tables are primarily illustrative for it is impossible to predict where an air smuggler will land. Just about any straight stretch of seldom-used highway or ranch road will do; and such roads may not even be necessary since most airports in the state are unattended at night and a discreet landing would not attract much notice. Also, as law enforcement pressure increases on traditional landing sites such as in the Caprock area, new sites became attractive for landings by air smugglers on Indian lands. Since August 1977, Navajo Tribal Police have reported landings at Ojo Encino airstrip; Hospath airstrip; the Shiprock area; and on Navajo 9 between Cuba and Crownpoint.[16] Such landing sites may become even more attractive because of the recent Supreme Court ruling that tribal governments have no criminal jurisdiction over nonmembers. Cooperation between state and tribal authorities is now more necessary than ever.

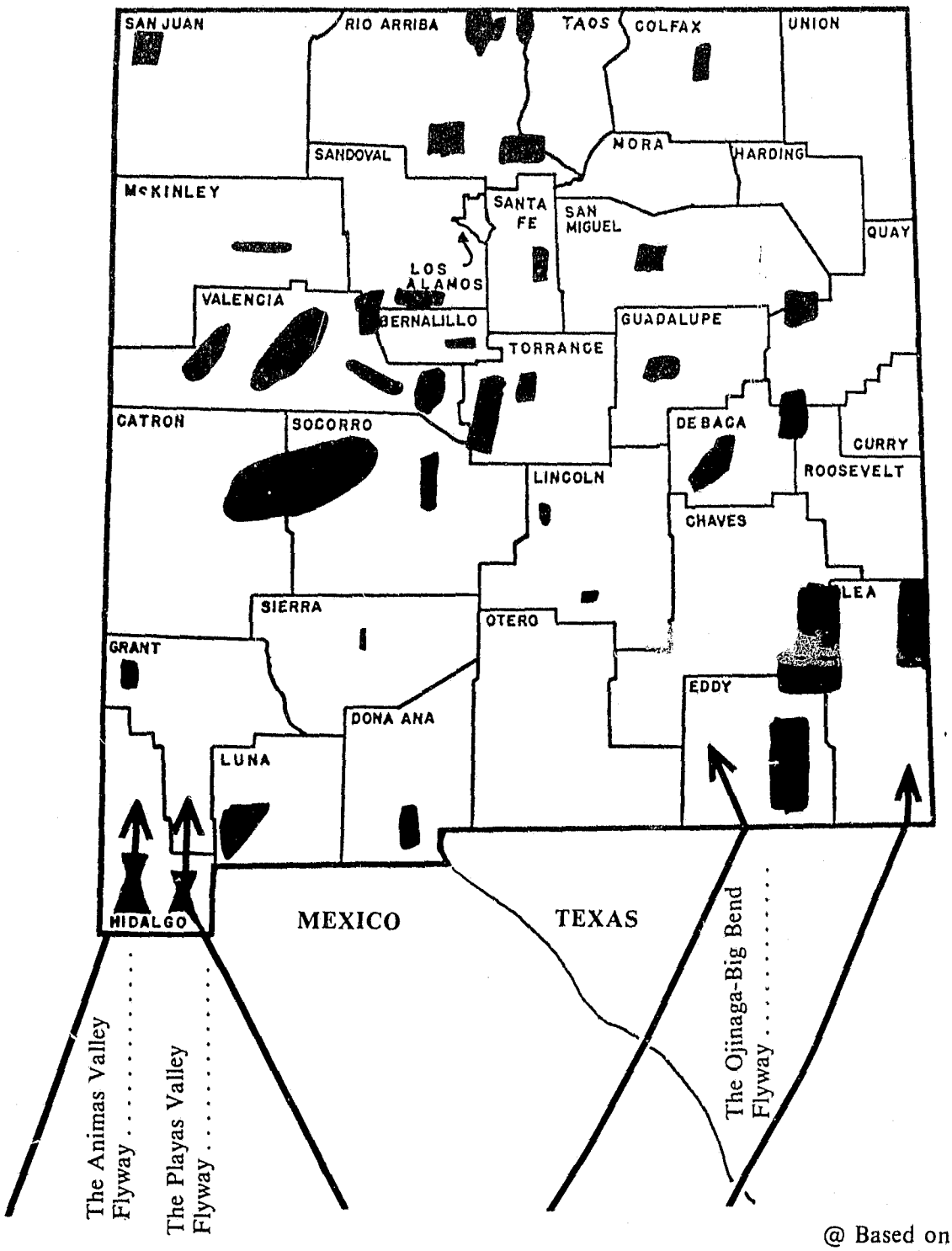
RECOMMENDATION: *The Attorney General should seek agreements with Indian tribal governments to assist in prosecuting the use of tribal lands as drug drop or landing sites.*

The experienced smuggler utilizes sophisticated aircraft and electronic equipment (10-track digital scanners to pick up law enforcement radio communications, night-scopes to detect surveillance, STOL aircraft that can land on short runways or stretches of highway, radar, etc.), flies at low altitude through valleys like the Playas and Animas, and has many accomplices on the ground to assist him in avoiding apprehension. In a major smuggling organization operating with twice-monthly half-ton drops, as many as three different ground crew teams will be dispatched to different locations across the state, and the pilot and crew can pick the safest site, alternating locations (and jurisdictions) at a moment's notice.

While the exact number of smuggling aircraft that cross our border each day is unknown, George C. Corcoran of the U.S. Customs estimates that "10 to 16 aircraft a day into this area is pretty accurate."[17] In the area of large unit aircraft smuggling of marijuana, the U.S. Customs and the Federal Aviation Agency (FAA) maintain an

FIGURE 1.4

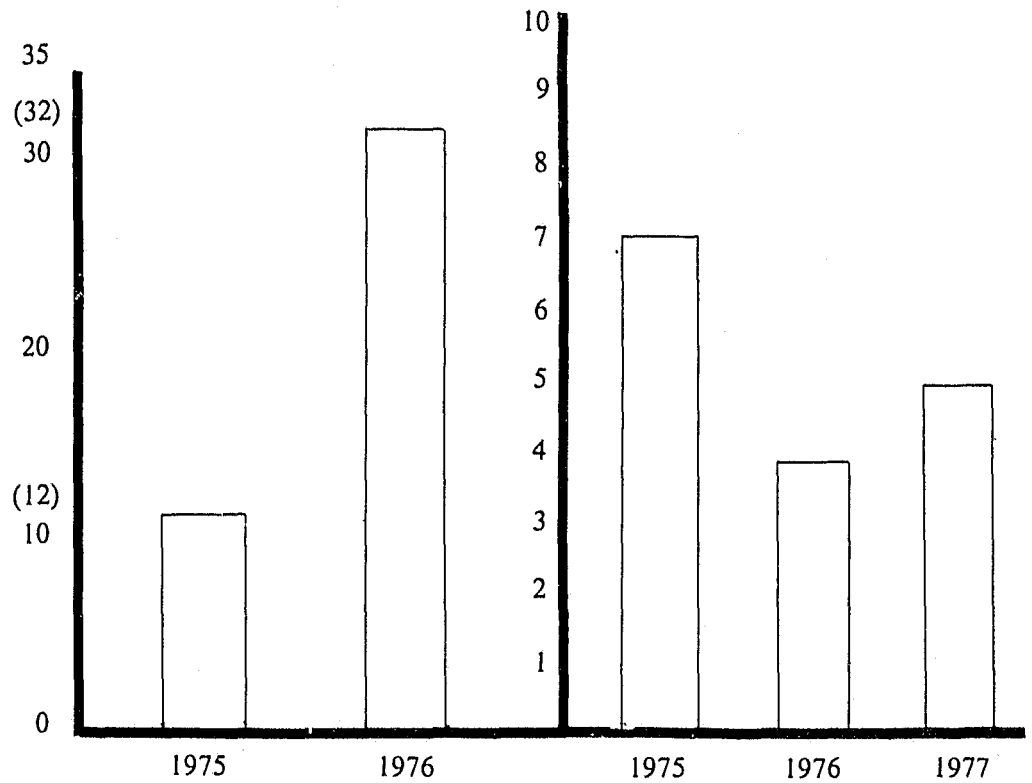
DRUG SMUGGLING AIRCRAFT LANDING SITES IN NEW MEXICO @



@ Based on seizure and hearings testimony.

TABLE 1.4

AIRCRAFT SMUGGLING TRENDS IN NEW MEXICO AS INDICATED BY AIR SMUGGLING ARRESTS AND CRASHES OF SMUGGLING AIRCRAFT



AIR SMUGGLING ARRESTS * SMUGGLING AIRCRAFT CRASHES **

*Source: N.M.S.P.D. Annual Report, 1976.

**DEA-EPIC, Mr. Fluhr. for (1/75-7/77) Project data collection (7/77-9/20/77).

intelligence list which indicates that there are more than 20 major air smugglers residing in New Mexico, with the largest proportion residing in the greater Bernalillo county area. The State Attorney General's Office places the number of major marijuana air smugglers at between 24 and 29.[18]

At the Second Southwestern States Conference on Crime and the Border, Attorney General Toney Anaya painted the following hypothetical portrait of one of these major traffickers:

> "He lives in a city in southeastern New Mexico. He has real estate holdings and several business enterprises including a restaurant, a bar and a motel. He is the sole or majority stockholder in a number of New Mexico corporations. Several of these corporations have not filed an annual report for several years. Frankly there is nothing to report because the corporations are not doing any business. At least they are not doing any business consistent with their by-laws. However, there is a fleet of private airplanes located at small airfields in Texas which are registered to these dummy corporations owned by our New Mexico businessman. The telephone toll sheets on his listed public service lines indicate frequent calls to major cities all over the continental United States. Each of these cities is an authorized international port of entry for air travel. A check of the numbers called reveals that they are listed to pay telephones in the lobbies or other public areas of large hotels. There are other telephone records indicating calls to unlisted numbers in Detroit and Los Angeles. The telephone calls seem to be clustered in groups at various times of the month. Coincidentally, there is a corresponding flurry of activity among the Texas-based aircraft. These planes also keep fairly busy the rest of the month on flights in and around New Mexico. However, they exhibit a pattern of not filing flight plans and their crews are extremely tight-lipped about their actual operations."[19]

Such profiles could be duplicated by other Federal and state agencies within New Mexico.

It is natural to ask if aircraft are also being used to smuggle heroin or cocaine. But few such cases have been discovered by law enforcement. During the period from September 1976 to January 1978 there were only two cases detected of air smuggling hard drugs, in both of which marijuana was also being smuggled. One involved an aircraft seized in Santa Rosa; the other an aircraft that successfully off-loaded in New Mexico but was seized on landing in Texas.[20]

Given the value and profit potential in heroin dealing, many law enforcement officers believe that only the tip of the iceberg of air smuggling of heroin and cocaine has been exposed.

An alternate perspective is that: (a) The profit in marijuana smuggling is large enough, and the penalties if arrested sufficiently less severe than for heroin offenses, that air smugglers of marijuana are not attracted to smuggling heroin. (b) The type of organization, the distribution system, as well as the attitudes and life style of the air smuggler are sufficiently different from that of the organized heroin trafficker to make heroin smuggling unlikely but cocaine smuggling relatively likely. (c) Other methods of smuggling hard drugs provide adequate protection against detection; even if the speed of an aircraft would be an advantage, there is no need to make an unlawful border crossing and land surreptitiously at a remote location, since the heroin could be concealed on a commercial flight or on a private plane that stops at a port of entry for a routine customs inspection. This alternative perspective cannot be demonstrated, however, until better data and intelligence facilities exist in New Mexico.

NOTES

1. U.S. Senate, Committee on the Judiciary, *The Global Connection:* Heroin Entrepreneurs, (Government Printing Office, Washington, D.C. 1977).

2. Jack Bowman, Arizona Drug Control District and Narcotics Strike Force, Deming, hearing, November 12, 1976.

3. *Drug Enforcement* Vol. 4:2, August, 1977, p.10.

4. Bennie Maestas, Agent, Drug Enforcement Administration, Albuquerque New Mexico, Private Communication, March 27, 1978.

5. U.S. Department of Justice, *Law Enforcement Intelligence Bulletin* August, 1977.

6. David Harris, "Behind America's Marijuana High," *New York Times Magazine*, December 18, 1977, p. 15.

7. Robert Kessler, Supervisor Air Support Unit, U.S. Customs Service, El Paso, Texas, Albuquerque Hearings, September 9, 1976.

8. Deputy Chief Sam Romero, Albuquerque Police Department, Private Communication, December 14, 1977.

9. Ed Hellicksen, Immigration and Naturalization Service, Columbus, N.M., Private Communication, June 30, 1977.

10. George Corcoran, Assistant Commissioner in Charge of Investigations, U.S. Customs Service, Albuquerque hearings, September 11, 1976.

11. David Blackwell, Chief Patrol Agent, El Paso Sector, U.S. Customs Service, Albuquerque hearings, September 10, 1976.

12. Chief J.E. Polson, Chief Lovington, New Mexico Police Department, Roswell hearings, June 2, 1977.

13. John Curley, "Drugs from the Sky," *Albuquerque Journal Impact*, December 20, 1977, p. 14.

14. California Assembly Bill 2378, January 30, 1978.

15. Attorney General Toney Anaya, address to the Second Southwest States Conference on Crime and the Border, October 3, 1977, El Paso, Texas.

16. Philip Meeks, Superintendent, Navajo Tribal Police, Private Communication, Window Rock, Arizona.

17. George Corcoran, op. cit., Albuquerque hearings, September 11, 1976.

18. Assistant Attorney General Mike Franke, Private Communication, October 11, 1977.

19. Attorney General Toney Anaya, op. cit., p. 4.

20. Sgt. Al Miller, Air Detail, New Mexico State Police, Private Communication, December 12, 1977.

CHAPTER TWO

PATTERNS OF DRUG ABUSE IN NEW MEXICO

Historically, New Mexico has always had some limited drug use among its people. Over time, as many drugs have been legislated to be illicit or controlled substances, this fact has received increased attention. The use of peyote and other hallucinogens in Native American religious ceremonies, the cultivation and use of marijuana by rural villagers, and the use of alcohol by all are a part of the history of this area. Table 2.1 presents an overview of the present drug use patterns in the state, as brought forth in our hearings. In the sections that follow, we examine the prime drugs of abuse.

Table 2.1. **Statewide Estimates of Drug Abuse Use Patterns by Categories in New Mexico - 1977**

DRUG OF ABUSE	USE PATTERN	TREND	POPULATION OF USE Location & Prime User Categories	
Alcohol	Widespread	Stable	Statewide	All age groups Increasing among Youth
Heroin	Limited	Stable to declining	Primarily urban Increasing in small towns and rural areas	18-30 age group
Dangerous Drugs	Moderate	Increasing	Statewide	All age groups
Illicit Stimulants ("Speed," Crystal, PCP)	Limited	Increasing	Urban Centers	16-26 age groups
Marijuana	Widespread	Increasing	Statewide	12-35 age groups
Inhalants-Solvents	Limited	Increasing	Statewide	7-16 age groups
Hallucinogens (except PCP)	Limited	Declining	Urban Centers	14-24 age groups

Source: Governor's Organized Crime Prevention Commission: Drug Hearings Testimony, 1976-8.

Alcohol.

While drug abuse of non-controlled substances such as alcohol is not the direct concern of this report, to fail to mention this drug of abuse and the needs for treatment would be a disservice to the people of this state.

There is little doubt that alcohol is the most abused and dangerous drug in New Mexico. Criminal justice studies note that alcohol is related to 50% of all automobile death, 64% of all criminal homicides, and 63% of all

rapes and other sex crimes. In Gallup, New Mexico, with a population of approximately 16,000, there were 20,000 drunk arrests in 1976.[1] There are approximately 50,000 identified alcoholics in the state, and New Mexico ranks 19th in alcoholism among the states.[2] The social, physical, economic, and law enforcement costs of this problem are incalculable.

Dangerous Drugs and Hallucinogens.

According to the National Institute on Drug Abuse, barbiturates alone among "dangerous drugs" cause over 5,000 deaths a year.[3] "Dangerous drugs"—unlike heroin, cocaine and marijuana, which are illegal—are categories of drugs frequently prescribed by doctors for valid medical purposes. This legal market, like that for alcohol, compounds the law enforcement problem and tends to make drug acquisition easy and inexpensive.

"Dangerous drugs" are primarily "medicine cabinet" or prescription drugs—depressants, tranquilizers, sleeping pills, relaxants (such as barbiturates), stimulants, amphetamines, metamphetamines, appetite reducers, and so-called weight control drugs. In addition to these drugs, clandestine laboratories turn out illegal metamphetamines and hallucinogens—LSD, MDA, Mescaline, and psilocybin. These dangerous drugs and hallucinogens, according to our review of emergency room overdose and death statistics in New Mexico, account for more than 75% of the drug-related emergencies occurring in the state. Among overdose and lethal emergencies, the misuse or abuse of prescription drugs make up the overwhelming majority. Prescription drugs rank second behind alcohol as a cause of drug-related death among the people of New Mexico.

The misuse and abuse of prescription drugs has many sources. Leading among them are the refilling of prescriptions without a doctor's authority; the use of medicine cabinet drugs with alcohol in often lethal combination; lax security among doctors over prescription pads and their federal narcotics dispensing identification number (thus facilitating forgery of prescriptions); the belief that drugs provide a "quick fix" or easy answer to long-term problems, both physical and emotional; and the overprescription of drugs by some physicians.

Drug theft and drug manufacture in clandestine laboratories account for a large part of the dangerous drug abuse, particularly among young people and juveniles. The burglarizing of doctors' offices is becoming an increasing problem, particularly in the urban areas like Albuquerque. In 1975 DEA reported 18 incidents in the state and in 1976 they estimated 16 incidents would occur, 50% of these in the Albuquerque area.[4] They underestimated, it turns out, for they could not foresee the operation of several juvenile drug theft rings that would begin operating in 1977. On August 11, 1977, Bob V. Stover, Chief of the Albuquerque Police Department, announced the disruption of two separate groups of juveniles who had stolen drugs from five doctors' offices and a local drug supply house. At the time of their arrest, they had 8,000 barbiturates and tens of

thousands of amphetamines as well as 150 syringes and needles. This is but one example of the problem of drug theft. In the first seven months of 1977, more than 100 doctors' offices in the Albuquerque area were burglarized.[5]

Clandestine laboratories for the production of "crystal" have been found in almost all areas of the state. From Questa to Las Cruces, these rural laboratories, from bath-tub variety to fairly professional drug production operations, supply both the domestic market and surrounding states. DEA Agent Charles Timulty testified at our Santa Fe hearings that there are at least three and may be as many as 12 clandestine laboratories currently operating within the state.[6]

As long as the overall American culture is pill and drug oriented, there will be a demand for and the abuse of both prescription and illicit "medicine cabinet"-type drugs. The New Mexico Pharmacy Board, with the assistance of law enforcement agencies, works to control and stop prescription abuse by physicians and pharmacists, theft of drugs, and forged prescriptions. In addition, it attempts to educate these groups and the public about the dangers of abuse and about measures to control the forgery problem. With limited manpower and funding, it appears to be doing a good job at control and elimination of the more flagrant violations of prescription laws.

One law enforcement problem, however, is that if an individual fails in an attempt to obtain prescription drugs fraudulently (as by a forged prescription) because of the alertness of a pharmacist, the state cannot prosecute the individual. Only successful attempts are prohibited by our penal code.

RECOMMENDATION: *The legislature should amend Section 54-11-25 of the New Mexico Statutes so that it is illegal not only to obtain controlled substances by fraud or forgery, but also to attempt to obtain controlled substances by such practices.*

Solvents.

In 1977 New Mexico ranked second in the nation behind Hawaii in the abuse of inhalants and solvents.[7] This is a particularly dangerous form of abuse, since it is engaged in primarily by the very young—teenagers and pre-teenagers. Solvent abuse—glue-sniffing, and inhalation of paint, gasoline, or aerosols—occurs most commonly in the age groups from six to sixteen. Like alcohol and prescription drugs, the legal availability of solvents makes control of this problem difficult. In addition, this problem has only recently been recognized by the law enforcement and treatment communities.

At present the major areas of solvent abuse are the larger urban jurisdictions, although there appears to be some indication, both from our hearings in Gallup and Department of Hopitals and Institutions (DHI) data, that solvent abuse is increasing among New Mexico's indigenous populations.

In the 1978 legislative session a law was enacted in New Mexico to limit the use of aerosols containing certain

chemical solvents which when sniffed are believed to cause physical damage to the brain. This act will limit access to certain of the abused solvents.

Another possible step to reduce the use of inhalants was suggested at our hearings by Karst Besteman, Deputy Director of the National Institute on Drug Abuse (N.I.D.A.), who testified to the possible organ damage from sniffing solvents, and noted that in some airplane glues an obnoxious substance has been added to deter inhalation. Where this has been done, he noted "the sniffing of that particular brand of airplane glue has gone way down."[8]

RECOMMENDATION: *In order to limit the use of abused solvents, a foul-smelling obnoxious chemical should be added to commonly abused non-aerosol solvents retailed in New Mexico. If this step is not taken voluntarily by manufacturers, legislation requiring such additives should be adopted by the legislature.*

Cocaine.

Cocaine, the President's Domestic Council Drug Abuse Task Force reported in 1975, is "the new 'in' drug."[9] By 1977, it appeared to be increasing in availability and use in New Mexico, but accurate information on use in the state is difficult to obtain. While its use is spreading among young people in the state, its use is most common among "elite" middle and upper income populations. Because of class and life style differences, such groups are among the most difficult for law enforcement to penetrate and thus there is not a great deal of information available. Our hearings indicate that outside of Albuquerque, the state's recreational and resort communities—Ruidoso, Taos, Angel Fire, Red River, and Santa Fe—are the prime areas of cocaine use and trafficking. Because, as the President's task force notes, cocaine is used only occasionally, and does not result "in serious social consequences...crime, hospital emergency room admission, or death," limited law enforcement resources have not concentrated on the trafficking and use of this drug.[10]

Marijuana.

After alcohol, the most widely used drug of abuse in New Mexico, and the United States as a whole, is marijuana. Surveys indicate that approximately one-quarter of all of the American people, and 53% of those from 18 to 25, have at one time or another tried marijuana.[11] A recent DHI survey indicates 39% of New Mexicans between 16 and 17 used marijuana during the past year.[12]

The tremendous increase in marijuana use in every age group and economic level in our society has led at least 11 states to decriminalize possession of small amounts of marijuana. In late August of 1977 President Jimmy Carter added his voice to those urging decriminalization and asked Congress to pass legislation decriminalizing marijuana at the federal level.[13] Similar efforts have been made both at the state and local level within the state of New Mexico.

New Mexico Abuse Patterns and Federal Priorities:

In 1976 the Domestic Council on Drug Abuse established its priorities for efforts against drug abuse. Drugs were ranked according to their consequences to the user and society and the dependency or addiction that these drugs induce in the user.[14] The results are shown in Table 2.2.

Federal enforcement efforts are directed towards those drugs which inherently pose a greater risk to the individual and society—heroin, amphetamines (used intravenously) and mixed barbiturates. But this does not mean that state and local law enforcement and treatment and rehabilitation agencies in New Mexico should follow these guidelines. The scope of the drug problem is somewhat different in New Mexico than in the United States as a whole. Inhalant abuse, for example, is a much more serious problem in New Mexico than elsewhere, and the intravenous use of amphetamines somewhat less of a problem. In addition, local law enforcement must respond to community demands and community complaints regardless of the level of violation; whereas federal agencies can simply refer matters outside of their priorities to state and local officials.

Table 2.2. **Summary of U.S. Government Drug Priorities**

		Severity of Consequences		
Drug	**Dependence liability**	**Personal**	**Social**	**Size of Core Problem**
Heroin	High	High	High	High/400,000
Amphetamines:				
Needle	High	High	High	High/500,000
Oral	Low	Medium	Medium	
Barbiturates:				
Mixed	High	High	High	Medium/300,000
Alone	Medium	High	Medium	
Cocaine	Low	Low	Medium	Low
Marijuana	Low	Low	Low	Low
Hallucinogens	Medium	Medium	Medium	Low
Inhalants	Medium	High	Medium	Low

SOURCE: *Federal Drug Enforcement*, Hearings before the Subcommittee on Investigations, of U.S. Senate Government Operations Committee, August 1976, p. 19.

NOTES

1. Gerald Benham, Counselor, Gallup, New Mexico, Gallup hearings, September 22, 1977.

2. State of New Mexico, 1977 *State Plan for Alcohol Abuse and Alcoholism Prevention.* (DHI-Alcoholism Division, Santa Fe, N.M., 1977) p. 3.

3. *Albuquerque Journal*, November 28, 1977, p. A-3.

4. *Albuquerque Journal*, November 15, 1976.

5. Chief Bob Stover, Albuquerque P.D. News Conference, August 11, 1977.

6. Charles Timulty, Agent, Drug Enforcement Administration, Santa Fe hearings, October 28, 1977.

7. *Albuquerque Tribune*, October 17, 1977.

8. Karst Besteman, Deputy Director, National Institute on Drug Abuse, Albuquerque hearings, September 9, 1976.

9. A Report to the President from the Domestic Council Drug Abuse Task Force, *White Paper on Drug Abuse* (Washington, D.C., GPO, 1975). p. 24.

10. Ibid., p. 25.

11. Ableson, Herbert, and Ronald B. Atkinson, "Public Experience with Psychoactive Substances: A Nationwide Study Among Adults And Youth," Response Analysis Corporation, August, 1975. p. 35.

12. Department of Hospitals and Institutions, *Statewide Drug Abuse Survey,* Dr. Edward Deaux, Director. cited *Albuquerque Tribune*, February 17, 1978.

13. President Jimmy Carter, Message to Congress, August 2, 1977.

14. *Federal Drug Enforcement*, Hearings; Subcommittee on Investigations, U.S. Senate Government Operations Committee, August 1976. p. 19.

CHAPTER THREE

THE MEASUREMENT OF HARD DRUG ABUSE IN NEW MEXICO

"Only a fool would attempt to estimate the number of addicts or the amount of heroin that flows through this state."
—Sgt. Neil Curran, New Mexico State Police Department—Santa Fe hearings, Oct. 27, 1977

If the public is to decide intelligently how much of the government's resources are to be devoted to the heroin problem, an effort must be made to measure as accurately as possible the extent of the problem. Yet most law enforcement officials, such as Sgt. Curran, are extremely cautious in attempting to estimate the extent of addiction or quantity of heroin available in New Mexico. Estimates now being made are predicated primarily on what informants tell drug officers or what clients tell drug treatment personnel. Although on occasions such estimates may prove accurate, they are too dependent on the skills of the drug officers and treatment personnel and on the knowledge and veracity of their sources. More scientific, objective measures are needed.

Unfortunately the obvious measures are inadequate. Scientific surveys may be sufficiently accurate for the measurement of abuse of other drugs; but surveys of heroin use have been failures, probably because of the stigma and criminal sanctions associated with heroin use.[1] Arrest and treatment figures and seizure data in themselves are also unsatisfactory. Even if we have accurate statistics on the number of addicts arrested or the number in treatment, such data cannot tell us what percent of the total number of addicts either have been arrested or entered treatment. Similarly, heroin seizures by police are a good measure of heroin supply only if we know what fraction of the heroin supply is being seized. The Drug Enforcement Administration estimates range from five to 25 percent with 10 percent as the national average. The California Narcotics Information Network (CNIN) places the California seizure figures between five and ten percent.[2] Using the best and worst estimates of seizures, this means we may be missing from 75 to 95 percent of the heroin flowing into the United States.

In addition to these obvious issues there are several more subtle ones which compound the estimation problems. Although not widely recognized by the general public, there are many heroin users who are not physically addicted and who use the drug for recreational purposes and take it intramuscularly (IM) rather than intravenously (IV). These weekend users—"chippers," or "skin-poppers," as they are called—are often counted by law enforcement officers as addicts for they are a part of the narcotics law enforcement problem in their area. Treatment officials, however, rarely see these people and therefore they do not show up in their estimates.

Adding to this measurement problem of "What is addiction?" is the trend toward polydrug abuse. Polydrug abuse refers to the willingness of a growing number of drug abusers to use any drug—alcohol; amphetamines, barbiturates, or other prescription drugs; cocaine; methadone; heroin; solvents; glue—in short, anything available to slake their habits.[3] While attempts have been made to list addicts according to the prime drug of

abuse when treatment is sought, this does not unsnarl the estimation problem.

Given these problems of measurement, the most that can be done is to obtain the most accurate relevant data possible, use reliable assumptions to make estimates based on that data and then hope the various estimates are close enough to each other to give us confidence that we have a handle on the scope of the problem. At least reliable data should be able to suggest what the trends are.

What follows is a review of the Commission's effort to make the best estimates possible. We hoped to estimate: (a) incidence—the number of new users in a given year, (b) availability—the quantity of heroin available to the addict, and (c) prevalence—the total number of active users.

HEROIN INCIDENCE IN NEW MEXICO:

Two methods of determining incidence of new heroin use are available. The first is the addict's report of the first year of use. Unfortunately this is an after-the-fact measurement, which does not reveal the current use pattern. In addition, such data is seldom gathered in any consistent fashion by all agencies. Drug treatment centers tend to be the only agencies performing such surveys on a regular basis, and addicts who seek treatment may not be representative of the entire addict population. Another factor to be taken into consideration is the location of the reporting treatment centers. An area where there is a high addiction rate may be missed entirely if those in the area do not enter treatment programs, because they live too far away.

In 1977, the Department of Hospitals and Institutions attempted to measure incidence of new use with the above method.[4] Their results are as follows:

	1973	1974	1975	1976
Estimates of New Addicts	309	368	317	222

The second method of determining incidence of new use is by measuring the number of drug-related hepatitis cases. Like the first measure, the hepatitis method involves a time lag. This is due to the assumption that most users get hepatitis within the first two years of use (and in most cases the disease is only contracted once). The reliability of this measure comes into question for several reasons. First, many doctors cannot distinguish needle hepatitis from other forms of hepatitis.[5] Second, many hospitals do not keep adequate records of needle hepatitis. Third, there is no way of knowing if the proportion of those contracting hepatitis remains constant from year to year. And finally, needle hepatitis might result from drugs other than heroin being used intravenously.

During our Study Period there were 41 reported cases of needle hepatitis. Because we lack comparative data, this number can only be used as a base-line for future studies.

HEROIN AVAILABILITY IN NEW MEXICO:

There are four major indicators of heroin availability. They are: (a) the purity of heroin seized or purchased; (b) the retail price of the heroin; (c) the number of heroin seizures in a given period of time; and (d) the number of heroin purchases by law enforcement in a given period of time.

A. PURITY OF HEROIN SEIZED

Underlying the use of purity as an indicator are the assumptions that as supply increases, the relative purity of the drug will increase, and its corollary, that as supply decreases, adulterants will be added to maintain supply, resulting in a decrease in purity. However, these assumptions are subject to doubt. First, heroin purity at the point of delivery from the processing lab to the point of retail sale may not be constant. Second, often those compiling the data do not know the number of times a specific amount of heroin has been diluted, or the level within the heroin distribution network at which the seizure or purchase was made. (The higher the level in the network the purer the heroin is likely to be.) While the level of the seizure or purchase might be known to law enforcement, this information is usually not part of the laboratory analysis report so that, unless the intelligence analyst has both pieces of information to work with, he cannot put the whole picture together.

In 1971 the Federal Drug Abuse Council reported the average heroin purity in Albuquerque at 9.5%.[6] We can use this as our base line and examine some trends.

Average Heroin Purity in Bernalillo County

1971	1972	1973	1974	1975	1976	1977	1978
9.5%*	unk	unk	unk	unk	9.6%**	4.3%**	1.5%***

Sources: * -Drug Abuse Council
** -New Mexico State Police (1977 figure is for first six months.)
*** -Albuquerque Police Department (first three months 1978).

Chapter 5 shows the number of samples being tested in the State Police lab from different areas of the state and gives an indication of the purity of heroin sold to users in the area ("street-level"), and the amount of heroin present which is of a purity usually found only at the wholesale level. Here we present the high and the average purity from those areas.

The high figures suggest the extent of wholesale quality (16% and up) heroin moving through a county. Comparing this high figure with the average purity found in the county, the reader can get an idea if a county is simply being used for transit, or whether high quality wholesaling and thus major dealing is more common.

A decline in purity as well as availability seems to be a trend in this table, and this is supported by other evidence. One major raid in Albuquerque in 1974 netted 44 ounces of 83% pure heroin. A 1976 arrest of a major

dealer netted a similar amount, 40 ounces, but only 24% pure.[7] Similarly, the purity of street-level heroin in Albuquerque has dropped from 3-5% in 1972 to 1-3% today.[8] This indicates that the DEA program of destroying fields of opium poppies in Mexico appears to be having some effects. According to DEA, some 28,230 poppy fields in 1976, and 26,720 in 1977, were destroyed.[9] Opium is being cut in the laboratories in Mexico before it crosses the border in order to stretch the content and meet demands.

Table 3.1. **High Purity and Average Purity in Reporting New Mexico Counties 1976 and 1977 (1st six months)**

COUNTY	1976 High %	1976 Average %	1977 High %	1977 Average %
Bernalillo	10.8	9.6	9.0	4.3
Chavez	22.0	3.8	26.3	18.3
Curry	100.0*	15.5*	0.0	0.0
Doña Ana	26.6	10.2	23.8	8.7
Eddy	14.1	7.4	0.0	0.0
Grant	9.4	8.8	Trace	0.0
Guadalupe	41.2	20.9	0.0	0.0
Lea	28.7	12.5	22.0	18.5
Lincoln	8.5	--	0.0	0.0
Los Alamos	3.6	2.0	0.0	0.0
McKinley	13.9	9.3	10.2	7.4
Otero	49.3	11.9	0.0	0.0
Quay	7.9	5.3	0.0	0.0
Rio Arriba	3.9	1.7	0.0	0.0
San Juan	9.8	6.4	3.0	1.9
San Miguel	16.1	5.5	26.8	6.6
Santa Fe	33.8	10.5	11.6	5.7
Valencia	5.7	3.4	5.9	3.2

*Only counties using New Mexico State Police Analysis Facilities are listed. There were two incidences of Air Force officers arrested with 100% pure Asian White heroin at Cannon AFB. We consider this exceptional to the normal trafficking patterns and do not count this in the averages.

B. RETAIL PRICE

The retail price for heroin varies across the state. For example, in Carlsbad in early 1977 a street-level gram (5-10% pure) was selling for $70, or $2,100 an ounce; while in Albuquerque one ounce, 20 to 30% pure, was reportedly selling at $2,200. As recently as 1976, $750 would have bought one ounce of 80% pure heroin in Albuquerque. This increase in price is another indication that supply reduction efforts have been meeting with some success.

The retail price of heroin is assumed to vary inversely with the supply: As the supply of the drug decreases, the price increases. But this theoretical relationship may not hold true in reality. As the Illinois Legislative Investigating Commission found, heroin prices in the Chicago area also varied according to the relationship between buyer and seller, and by ethnic background of the customer.[10] Other problems in using price to measure long-term trends arise because of variations in the composition of a "street-level" buy (the purity of the heroin and the quantity of heroin in a "cap" both vary) and because of changes in price due to short-term fluctuations in supply.

C. NUMBER OF HEROIN SEIZURES AND PURCHASES IN A GIVEN TIME

The accuracies of the third and fourth indicators, the total number of heroin seizures and the total number of heroin purchases in a given time period, depend on the reliability of the assumption that the more heroin there is, the more heroin will be seized and purchased by law enforcement. Yet seizures and purchases may reflect the quality and quantity of law enforcement rather than the availability of the drug.

Heroin Seizures by New Mexico State Police Narcotics Agents

Fiscal Year	Amount@	Equivalent amount of heroin of street purity
1971-1972	1.70 lbs.	1.70 lbs.
1972-1973	1.57 lbs.	1.57 lbs.
1973-1974	9.16 lbs.	47.45 lbs.
1974-1975	15.58 lbs.	38.60 lbs.
1975-1976	4.53 lbs.	10.22 lbs.
1976-1977	2.24 lbs.	2.24 lbs.

Source: New Mexico State Police, Narcotics Division, *1976-1977 Statistical Report.*

@-These amounts are not weighted for purity. They are the seized volume.

By comparison the Drug Enforcement Administration (DEA) seized 5.4 pounds in the period from January 1975 to June 1976.[11]

HEROIN PREVALENCE IN NEW MEXICO:

More time and effort have been expended in attempting to determine reliable indicators of the number of

active users in a community ("prevalence") than for any other indicators.[12] Four formulas have been developed

First, the Lawrence Redlinger formula multiplies the estimated ounce and multi-ounce dealers known to police; doubles that number on the assumption that only one-half are known; and applies a rough "rule of thumb" that one dealer will supply 100 addicts.

Second, the Leon Hunt formula examines the number of addicts in police intelligence files and compares their names with the names of individuals in treatment and asumes that the chance of an addict in treatment being in the police files is the same as for any other addict. If the assumption is correct, the number of addicts in the files who have also been in treatment, divided by the number of addicts in treatment will equal the total number of addicts in intelligence files divided by the total number of addicts in the community. The addict population can thus be computed from police and treatment files.

Third, the Joseph Greenwood formula estimates the percent of addicts by examining police arrest and rearrest records. If, for example, a third of the arrested addicts are rearrested, the formula assumes that one third of all addicts are arrested and gives the total number of addicts as three times the number arrested. The underlying assumption is weak, however, since an addict already arrested once may well be more likely to be arrested than are other addicts. Lacking the rearrest figures we simply present what the recent trends over time have been in the number of hard drug arrests.

Number of Hard Drug Arrests:
Opium, Cocaine, and their Derivatives

	1975	1976
State Police	86	51
Local Enforcement Agencies	823	443
Total	**909**	**494**

The number of arrests, assuming no change in law enforcement emphasis and priorities, suggests that the number of active addicts in the state is declining. This fits the pattern shown by other indicators developed in this chapter.

Finally, the Baden formula assumes that the total population of registered addicts in a given year is 200 times the number of overdose deaths. This formula was developed in New York City, using samples of its addict population. The difficulty with this formula lies in the fact that one cannot assume that the same ratio (1:200) exists in other cities. During our study period there were seven overdose deaths reported to us. This figure can provide a base line for future studies.

When the above formulas are used and the results compared, one is able to get a relatively accurate picture of the number of active users. Unfortunately, such formulas require data which is now relatively inaccessible in New Mexico. Treatment centers are barred by federal confidentiality laws from providing the names of their clients to other agencies and many police departments do not keep adequate files on their respective addict populations. Nevertheless, if the data are compiled, mechanisms have been devised elsewhere for using the data to estimate heroin addiction rates without violating confidentiality requirements.

As a result of these measurement problems this Commission, as had others before it, found it necessary to rely on more subjective measurements. We asked those knowledgeable of the drug situation to estimate the addict population in their communities. Obviously, such "guesstimates" can be questioned in terms of accuracy, but they provide the only easily available overview of the drug problem which law enforcement and treatment are facing in New Mexico.

A number of different agencies have at different times attempted to estimate the number of addicts in the state of New Mexico. Table 3.2 reports these various estimates of statewide addiction.

Table 3.2. **Statewide Estimates of Heroin Addiction**

SOURCE	Estimated Number of Addicts
New Mexico Department of Hospitals and Institutions (1972)	3,400
National Institute on Drug Abuse (NIDA) 1973 ..... 1973- TASC Survey (* Based on 24 largest counties)	3,811*
DEA & New Mexico State Police-1976 (Capt. Donald Thompson, testimony GOCPC hearings)	4,500
Governor's Organized Crime Prevention Commission Drug Hearings Summary. 1977. High Range estimate	5,969**
(*Based on the 24 largest counties). Low range estimate	3191***
(**Based on high estimates given by law enforcement and treatment officials. Includes "chippers" and recreational users.) Low range estimate	
(***Based on low estimates and elimination of "chipping" population).	

In table 3.3 below we present the county by county estimates from the 1973 Treatment Alternative to Street Crime study of the 24 largest counties and the 1977 low estimates for those counties.

Table 3.3

County	1973 TASC Survey Estimates	Law Enforcement Estimates At GOCPC Hearings (Low "Hard Core" Estimates 1977)
Bernalillo	2500	2000
Chaves	35	100
Colfax	8	15
Curry	10	15
DeBaca	6	1
Doña Ana	350	300
Eddy	30	110
Grant	25	10
Guadalupe	0	No data
Hidalgo	3	0
Lea	200	325
Los Alamos	4	10
Luna	0	0
McKinley	90	10
Otero	97	80
Quay	60	50
Rio Arriba	150	50
Roosevelt	10	30
San Juan	5	12
Socorro	8	10
San Miguel	60	60
Santa Fe	120	200
Taos	40	12
Union	0	2
	Total 3,811	**Total 3,191**

MEASUREMENT CONCLUSION:

Our hearings and the data derived from them indicate that the State of New Mexico is in a period of heroin scarcity with quality declining and price rising. Incidence of addiction also appears to be in decline, if only slightly. At our Albuquerque hearings, for example, the Medical Director of La Llave noted that due to the low quality of heroin in the Albuquerque area some addicts were switching to alcohol and pills and that treatment centers in recent months were not filling all the available treatment slots.[13]

Prevalence appears to be stable to declining slightly in many areas, although our findings concur with Department of Hospitals and Institutions reports that addiction appears to be spreading to smaller towns and rural communities where it was not present in the past. Most of all, our findings reveal the need for regular data collection in the area of hard drug abuse so that in the future we can make as accurate assessments of the situation as possible.

MEASUREMENT EPILOGUE

What may the future bring?

The reasons for the current ebb in heroin quality and supply must be credited to improved public awareness and law enforcement within New Mexico and the international efforts of DEA and the Mexican government to destroy the opium poppies in the field. This downturn may well continue for a year or two. But this country's experience regarding drug trafficking and abuse does not give us encouragement for the long run. Just as Mexico replaced Turkey and Southeast Asia as the source of heroin, so it too can be replaced. Destruction of Mexican poppy fields will help for a time, but traffickers will find new fields elsewhere. With the tremendous profits in heroin trafficking, the criminal enterprises involved will also become more and more sophisticated to counter advances by law enforcement. An additional impetus to sophistication by the traffickers will be the greater centralization of heroin smuggling as the source of heroin moves further from this country's borders; the days of the smuggler who deals in small quantities with only a few comrades are numbered if heroin supplies in Mexico continue to diminish.

Also, it is unwise to assume that addicts will cease to be a social problem as soon as they stop using heroin. As other data suggests, people who are dependent on drugs will use anything to get high. Addicts will often simply move to alcohol, solvents, and inhalants. Prescription and illicit drug use will also increase. When heroin supplies are replenished, these people will then begin returning to heroin use.

The only way out of this dilemma is curing the drug-dependent individual of his reliance on drugs. Although some will cure themselves, treatment programs are needed. If such programs can rehabilitate addicts who are

searching for alternatives as heroin supplies decrease, then law enforcement efforts against trafficking can produce significant long-term benefits. Rather than being adversaries, the efforts to diminish the supply of drugs (law enforcement) and the efforts to diminish the demand for drugs (treatment) should be complementary. Then the future may well show great strides.

Law enforcement, the legislature, and the executive must not be lulled into concluding that the war against drugs has been won. It is our belief that the fight has hardly begun, and that, as new sources of supply appear, law enforcement's need for intelligence, cooperation, and coordination will be even more important.

RECOMMENDATIONS:

The Criminal Justice Department (CJD) should prepare standardized forms in collaboration with the Health and Environment Department (HED) and drug intelligence analysts for the regular reporting of drug purchases and seizures, including quantity, purity, price and level of sale. In addition, HED should develop a form for doctors, emergency rooms and hospitals so that information on hepatitis, drug emergencies and drug overdose deaths can be tabulated systematically for all areas of the state.

Police departments with facilities for the analysis of heroin purity should analyze all incoming samples and transmit such data on a regular basis to the CJD.

The CJD and the HED should develop a mechanism through which the names of drug addicts who are arrested can be compared with lists of addicts in treatment for the purpose of estimating, on a regular basis, the number of drug addicts statewide.°' This must be done in a manner which will preserve client rights and confidentiality.

NOTES

1. Karst Besteman, Deputy Director, National Institute on Drug Abuse, Albuquerque hearings, September 9, 1976.
2. Terry Grimbel, Director, Arizona Drug Control District and Narcotics Strike Force, Deming hearings, November 11, 1976.
3. *U.S. Journal*, September 1977, p. 6.
4. Department of Hospitals and Institutions, *State Drug Abuse Plan, 1977-1978*, Santa Fe, New Mexico, 1977, p. 9.
5. Drug Abuse Council Inc., The Problem of Drug Abuse in the City of Phoenix, Arizona (Washington, D.C., 1976).
6. The Drug Abuse Council, *The Retail Price of Heroin* (Washington, D.C., May, 1973).
7. Leiutenant Whitey Hansen, Albuquerque Police Department, Albuquerque hearings, January 17, 1978.
8. James Blackmer, Chief, Habitual Criminal Division, Bernalillo County District Attorney's Office, Albuquerque, New Mexico, Albuquerque hearings, January 17, 1978.
9. Peter Bensinger, Director Drug Enforcement Administration, Albuquerque, N.M., September 8, 1976.
10. Illinois Legislative Investigating Commission, *The Heroin Highway* (Chicago: 1975) p. 60.
11. William E. Proffer, Agent in Charge, Drug Enforcement Administration, Albuquerque, New Mexico, communication 4-190-277.
12. For a detailed discussion of statistical formulas to measure prevalence and incidence of drug abuse: Drug Abuse Council Inc., *The Problem of Drug Abuse in the City of Phoenix, Arizona* (Washington, D.C., 1976).
13. Dr. José Castillo, Medical Director, La Llave Drug Treatment Center, Albuquerque hearings, January 18, 1978.

CHAPTER FOUR

THE SOCIAL COSTS OF DRUG ABUSE

In 1976 the Joint Economic Committee of Congress placed the total crime bill for the United States at close to $125 billion.[1] At our Albuquerque hearings Dr. Thomas Bryant, director of the National Council on Drug Abuse (Washington, D.C.), placed the costs of the drug abuse portion of that total at $17 billion dollars.[2] These figures do not include costs of crime prevention (security, insurance and the like) but they do clearly indicate that everyone directly or indirectly pays the cost of crime and drug abuse.

The most immediate and direct costs are injury to the health and life of the drug abuser himself, and the injury to the property and life of citizens caused by drug abusers either under the influence of drugs or in need of money to buy drugs. Along with this are the increased costs of law enforcement, and the redistribution of tax dollars from other areas of social need to fighting drug crime. Indirectly, the average New Mexican pays costs of drug trafficking and abuse in higher retail prices which cover the costs of shoplifting by addicts and others; higher property and automobile insurance premiums; and even higher federal income tax burdens which result from tax dodging by major traffickers and drug financiers. Table 4.1 lists some of these costs.

Table 4.1

THE SOCIAL COSTS OF DRUG ABUSE IN NEW MEXICO

-The loss of life and increase of life-threatening situations.
-The loss of property.
-Increased taxation (direct and indirect).
-Increased law enforcement, treatment and corrections costs.
-Increased social anxiety and distrust.
-Creation of illicit markets (e.g. fencing stolen goods).
-Loss of human resources, talent and potential.
-Increase in crime (drug trafficking, burglary, prostitution).
-Increased prices to cover loss through theft and shoplifting.
-Increased insurance premiums.
-Inequitable tax burdens created by tax-dodging by drug traffickers and financiers.
-Weakening of the social fabric through participation in the purchase of "cheap" stolen goods.
-Loss of needed social services due to redistribution of taxation to drug control, law enforcement, treatment and correctional uses.
-Loss of production through absenteeism and associated costs.
-Erosion of social institutions such as the family through creation of improper role models, disruption of parental responsibility, control and guidance.
-Increased potential for corruption.

Reading this list one realizes the virtual impossibility of placing a dollar figure on these costs. For example, psychological costs to the victim of a drug-related residential burglary cannot be given a price tag. Nor can costs in time and energy of a lengthy surveillance of a drug dealer be easily quantified. But there is suggestive evidence of the scope of the problem.

Table 4.2 shows the percentage of inmates in the state penitentiary who were high, or admitted drug use, at the time of arrest. It indicates that crime and drugs are certainly related. Whether this had to do with reduced inhibitions caused by drug use or a need to steal to satisfy a habit craving, or a relationship between criminal life-style and drug use, is not clear. The simple fact of relationship—regardless of the direction or cause—is established by the table.

Table 4.2. **Percentage of Inmate Population Using a Drug During Crime of Arrest**

Drug of Abuse	Percentage of the Inmate Population
Alcohol	40.8%
Polydrug: (Alcohol plus other)	24.5%
Heroin	11.3%
Marijuana	4.9%
Prescription Drugs	4.8%
	86.3% of total inmate population.

Source: New Mexico Master Plan for Adult and Juvenile Correction. (Testimony p. 3084). Inmate Profile.

Table 4.3 presents the estimates of property crimes committed by heroin addicts in New Mexico, which were given to us by law enforcement officers throughout the state. While this range of numbers represents long-term field experience by law enforcement, these officers would be the first to admit they are no more than educated guesses. The Presidential "White Paper" on Drug Abuse, for example, nationally placed the relationship between property crime and drug abuse at from 20% to 80% of all crimes committed.[2] This range, however, is obviously too broad to be of any use. In 1975, the National Institute on Drug Abuse placed the figure at 50%, while a 1973 study in Albuquerque reported that 100% of the juveniles charged with armed robbery, and 75% of the residents of the Bernalillo County jail charged with armed robbery, were heroin users.[3] These figures were shocking at the time not because of their size, but because heroin addicts were thought by the experts to commit only "victimless" and non-life-threatening crimes such as residential burglary.[4]

Table 4.3. **Law Enforcement Estimates of the Percent of Property Crimes Committed by Heroin Addicts in New Mexico***

Jurisdiction	Percent
Albuquerque	80%
Clayton	65%
Gallup	65%
Las Vegas	60-75%
Lovington	90%
Otero County	67%
Portales	90%
Ruidoso	20-33%
Santa Fe	75%
Socorro	95%
Taos	90%
Tucumcari	80%
Tularosa	70%

Source: Testimony GOCPC Drug Hearings.

*Only those jurisdictions where Law Enforcement chose to make an "estimate" are reported here.

Studies done since this time, and in other areas of the nation, confirm that addicts commit whatever crimes are necessary to acquire the funds to satisfy their habits.[5] Since residential burglary is what one can call a high reinforcement crime (i.e. one with a good probability of payoff and a relatively low probability of arrest or injury), it is often the crime of choice. Assistant District Attorney James Blackmer noted at our hearings:

> "In the past four years (that) I have been working in the District Attorney's office, I think I can recall a total of four people involved in burglary who were not addicted to narcotics. . . and one of those was addicted to amphetamines."[6]

One can argue that heroin addicts are sloppy criminals and therefore have a higher probability of being caught and arrested, but there is no getting around the reality that use of heroin and other hard narcotics represent one of the few offenses that literally generates other crime.[7]

The 1973 study of heroin and crime estimated the yearly cost of this crime in Albuquerque at $20 million—$10 million from larcenies, burglary and robbery, and $10 million in loss from shoplifting.[8] Taking 2,500 (the most common estimate) as the number of addicts for Albuquerque in 1977, and assuming conservatively a $55 a day habit, which is satisfied 290 days a year, then approximately $40 million has to be collected each year by addicts in this city to support their habits. From this perspective the $20 million estimate of the 1973 study seems a relatively reasonable one. To get a better idea of the cost of a heroin habit, however, it is instructive to examine the habit and often criminal "need" of a single addict.

A Profile of the Cost of One Addict's Habit:

The southeastern region of the state of New Mexico has traditionally had—according to the New Mexico State Police Crime Laboratory—the best quality (purity) heroin in the state.[9] By examining a single Carlsbad area habit, one can get a picture of the economics of addiction.

In spring of 1977 a gram of heroin (street grade) was retailing for $70.00. If that was the daily dosage, it would cost the typical Carlsbad heroin addict $20,300 to maintain his habit for 290 days a year.[10] Such an income is, of course, well above the median income in Eddy County or the state as a whole. If we assume that our addict is employed full time at reasonable wages, say $4.50 per hour, he would earn a total annual gross salary of $9,360. Therefore, he would need an additional $10,940 to support his habit. To acquire this extra income through residential burglary, shoplifting or the like, our addict must steal items worth approximately $32,820. This assumes that these stolen goods were fenced at one-third of their value. If our addict is employed at the minimum wage ($2.25)—a more realistic example—he would need an additional $15,620 income and have to steal $46,860 to acquire that amount through fencing. Given the state police estimate of 100 heroin addicts in the Carlsbad area, this would result in a total dollar loss to the community of approximately $4,686,000 a year if every addict were employed at the minimum wage and if every addict relied on gaining extra income from shoplifting, robbery, residential and auto burglary.[11] Neither of these "ifs," however, hold and many addicts are unemployed and many turn to other endeavors—in particular, drug trafficking—to acquire the funds needed to support addiction.[12] Thus the addict-dealer often must earn the name, "pusher," if he is to support his own habit. Creating new addicts to maintain old ones is a real cost of addiction.

The Statewide Costs of Heroin Addiction:

Statewide estimates developed in light of our hearings present the following picture. In 1977 the average heroin addict had a $70 a day habit, or a $20,300 yearly (290 days) cost to the addict to maintain it. Using the Commission's low estimate that there were approximately 4,034 addicts in the state, and assuming all of these

addicts had an average ($70) daily habit, this would mean that $282,380 a day changed hands in this business, and a gross $81,890,200 a year, if all addicts maintained a 290-day high. Although this money must be fairly widely spread among addict-pushers, dealers, wholesalers, and financiers, even the low estimate on gross sales suggests that this is big business. And, when one remembers that much of this money has to be raised through criminal activities, and the fencing of goods stolen in these activities—at one-quarter to one-third fair market value—the amount of money that must be raised to satisfy the heroin habits of New Mexicans can be more accurately placed in the neighborhood of $150 million a year.

While such figures may appear astronomical to the average citizen, they pale in view of the Drug Enforcement Administration estimate that annual retail sales of heroin in the U.S. amount to over $7 billion.[13] It pales, too, when one hears that one major dealer was making $3.2 million a week, before he was arrested by federal drug agents! It is not surprising, in light of this type of information, that U.S. Senator Sam Nunn, Vice-Chairman of the Senate Permanent Subcommittee on Investigations, would say:

> "It becomes clearer that there is no meaningful deterrent to narcotics trafficking. Sophisticated narcotics dealers, with vast financial resources, could reasonably determine that crime does in fact pay."[14]

NOTES

1. Joint Economic Committee Report, Cost of Crime (Government Printing Office, Washington, D.C. 1976).
2. Dr. Thomas Bryant, Director, National Council on Drug Abuse, Albuquerque hearings, September 8, 1976.
3. S.F. Blake, *Heroin and Crime in Albuquerque, A Working Paper of the Criminal Justice Program,* Institute for Applied Research Services, 1973, p. 2.
4. Plair and Jackson, *Narcotics Use and Crime* (Research Report #33). (Washington, D.C.: Department of Corrections, November, 1970).
5. National Institute on Drug Abuse, *Drugs and Crime* (Government Printing Office, Washington, D.C., 1976).
6. James Blackmer, Chief, Habitual Criminal Division, District Attorney's Office, Albuquerque hearings, September 11, 1976.
7. James Blackmer, IBID.
8. S.F. Blake, *Heroin and Crime in Albuquerque: A Working Paper,* Op. Cit., p. 3.
9. E.A. Maxwell, New Mexico State Police, Private Communication, February 6, 1978.
10. Dean Smith, Agent Narcotics Division, New Mexico State Police, Clovis hearings, June 13, 1977.
11. Sam Garcia, Agent, Narcotics Division, New Mexico State Police, Roswell hearings, June 2, 1977.
12. Mark Moore, *Policy Concerning Drug Abuse in New York State: Vol. III.: Economics of Heroin Distribution* (Croton-on-Hudson, N.Y.: Hudson Institute, 1970). Moore found in New York that 46.5% of heroin was paid for by pushing the drug; 12% by shoplifting; 14% by burglary; 1.8% by armed robbery and the rest by sale of self and other goods.
13. DEA, *Drugs of Abuse* (Washington, D.C.: Government Printing Office, 1977).
14. *Federal Drug Enforcement*, Hearings; Subcommittee on Investigations, U.S. Senate Government Operations Committee, August, 1976, p. 19.

CHAPTER 5

Resources and Problems

INTRODUCTION:

In this Chapter we present the resources that the state of New Mexico has available to cope with the problems of drug trafficking and drug abuse. First we will present an overview of what major resources are available and how they are deployed. Then we will present in detailed but tabular form—for easy access and reference—data on the magnitude of the drug problem and the resources in each judicial district in the state.

OVERVIEW OF RESOURCES:

A. **LAW ENFORCEMENT:**

The law enforcement problem in New Mexico can be divided into three categories: (a) A border problem. (b) A large-scale drug trafficking problem. (c) The small-scale trafficking which occurs in communities throughout our state. Each of these levels of organization and types of criminal operation requires a different mix of responses from federal, state and local law enforcement.

1. **The Border Problem:**

Although New Mexico has the smallest direct border with the Republic of Mexico, the border problems in New Mexico are equal to those of any of the other border states. First, there is the problem of drug traffic on the ground along the long, sparsely inhabited parts of the border. Policing this area is almost entirely a federal responsibility. There is too small a population on the border to justify assigning local or state law enforcement personnel, and the legal powers of federal authorities in investigating border violations are far superior to those of other police agencies.

The Drug Enforcement Administration (DEA), U.S. Customs, the Immigration and Naturalization Service (INS) and its Border Patrol, the Federal Aviation Agency, and even the Department of Agriculture are all involved in border checking and patrol work, and are directly or indirectly involved in stemming smuggling and drug trafficking.

These agencies must work together in a highly coordinated and integrated manner if the federal effort along the border is to have maximum effect. Unfortunately this is often not the case. Customs and INS, for example, have operated on different radio frequencies and often have been unable to assist each other in the field.[1] DEA is operationally responsible for drug enforcement, but as our hearings showed, heroin is frequently carried by "mules" who are illegal aliens, and alien crossings are the responsibility of INS, which may obtain much useful intelligence regarding such activities. Under Director Peter Bensinger, the DEA has done much to improve that

agency's relationships with other federal agencies, but our hearings revealed continuing friction between agencies that must constantly be examined and corrected.

RECOMMENDATION: *Congress should mandate cooperation and management coordination among those federal agencies responsible for border enforcement and require sufficient compatibility in their technical and communications equipment that they may assist one another in the field.*

A second border problem is that of air penetration of our state by drug traffickers, particularly large lot marijuana smugglers. As our hearings indicate, the Animas and Playas Valleys in the western part of our state form a natural funnel for night flights by aerial smugglers who fly too low to be detected by radar.[2] In addition, our eastern caprock and plains are vulnerable to smuggling flights coming up the Big Bend-Ojinaga "flyway." U.S. Customs, which is responsible for stemming such traffic, has but nine fixed-wing aircraft and two helicopters[3] to confront 700 miles of border and the ten to sixteen drug flights that enter New Mexico air space each day. At the same time Customs is under pressure to redeploy resources to other areas of the country where drug trafficking is also severe. The U.S. Customs' border resources need to be greatly strengthened, as do the resources of the New Mexico State Police Air detail. In addition, the Department of Defense, which has its own border responsibilities, could assist greatly by cooperating with its manpower and equipment. For example, Customs officers will soon be on board flights of Air Force radar planes "officially" being used for training missions.[4]

RECOMMENDATIONS: *Congress should mandate that the Department of Defense provide manpower support as well as aircraft and other equipment to federal and state law enforcement to check border incursions by air smugglers.*

The U.S. Customs resources of men, equipment and money along the Mexican border in Texas and New Mexico should be greatly strengthened and not reassigned to other areas of the country.

Cooperation among law enforcement agencies is particularly important in combatting aerial smuggling. The air smuggler can change jurisdictions, landing sites, and states in a few minutes of flight time. Assistance from an agency with officers available at that landing site to which the smuggler has shifted can make the difference between success and failure of an operation.

There is an additional compelling reason for interagency cooperation against air smuggling. Even with an expanded effort at the border, it will be impossible to detect all illicit flights entering this country. Good intelligence information is necessary to enable law enforcement agencies to know where to focus their attention—what aircraft are being used, when do they fly, where do they cross the border, etc. Thus, the federal government, which bears the responsibility for border enforcement, should increase its effectiveness by encouraging the development of intelligence networks in the border states and between those states and Mexico. For example, a few reports of landings from deputy sheriffs in sparsely settled counties could prove to be

invaluable assistance.

California has established the California Narcotics Information Network (CNIN) and in 1976 Arizona implemented the Narcotics Intelligence Information Network of Arizona (NINA), both similar to the system recommended for New Mexico later in this report. A federal grant recently created a "Quad State" Project involving New Mexico, Arizona, Utah, and Colorado, which provides for greater intelligence exchange among the states and with federal authorities. But the project is of limited scope and duration. The border smuggling problem in this state fully justifies continued funding, rather than just "seed money," for a drug intelligence network involving all federal, state, and local law enforcement agencies in the state.

RECOMMENDATION: *The Federal government should provide sufficient continuing funds to operate a drug intelligence network involving all law enforcement agencies in New Mexico.*

2. **The Large-Scale Trafficking Problem:**

Often the illicit drugs that enter New Mexico are for out-of-state delivery. But substantial quantities are consumed here and intrastate distribution is often handled by sophisticated criminal organizations. This is a problem for federal, state, and local law enforcement. The resources required to deal with it can be a severe drain at all three levels.

Successful investigation of a drug conspiracy is extremely difficult and expensive. An undercover officer attempting to penetrate a criminal organization may need months to gain the confidence of the upper echelon. Electronic surveillance requires trained technicians and a number of men to monitor what is being picked up on a wiretap or bug. Every operation requires surveillances which involve extensive periods of work for several officers. If a purchase of drugs is to be made from a large scale dealer, many thousands of dollars are needed for the buy, to say nothing of prior purchases that may have been necessary to work one's way up the hierarchy.[5]

DEA is the agency best equipped to handle such investigations. It has the money available for large purchases of narcotics and has even assisted other agencies with buy money. But the amount of trafficking going on demonstrates that additional effort is needed. The state has a responsibility equal to that of the federal government in this area.

Unfortunately, local law enforcement does not have the financial resources necessary to investigate major dealers. Only the Albuquerque Police Department and perhaps the Las Cruces Metro Squad can conduct an operation of the scope required. The primary burden must therefore rest with the state police.

The state police effort against drug trafficking is centered in its Narcotics Division. The Division has an authorized strength of one captain, one lieutenant, seven sergeants, and thirty-one agents who are distributed as follows:[6]

DISTRICT	AGENTS ASSIGNED
Air Detail	5
Roswell	6
Albuquerque	5
Las Cruces	5
Santa Fe	7
Farmington	3

All sergeants and two agents in the division have attended DEA's ten-week narcotics enforcement course and all have attended the two-week DEA regional school.

The state police therefore has the trained manpower necessary to mount investigations of major violators of the drug laws. Unfortunately, the narcotics division has not focused on major cases. Table 5.1, which lists purchases of contraband by the division in 1977, shows that "buy money" has been used for numerous purchases of relatively small quantities of drugs.

There are two fundamental reasons for this. The chief reason is that public and political pressures prevent the state police from setting its own priorities in drug cases. It must respond to requests for assistance from other agencies and local governments, or it risks offending those who authorize its annual budget. In 1975 the Narcotics Division compiled a total of requests for assistance in the first six months of that year. The figure was 4,657, of which approximately one-half were answered.[7] When ten new drug agents were added in 1976-77, four were assigned to communities with state colleges and universities because of pressure to deal with drug use on campus. A recent request for assistance led the Division to conduct a three-week investigation of small-scale drug dealing at a state government office.[8]

The state police must be freed from this burden. In large part, the responsibility lies with the public, which must recognize the limits of state police resources and understand that all its requests cannot be met. But an institutional change within the State Police could also contribute toward this end. To ensure that Narcotics Division resources are not dissipated because all agents are responding to requests for assistance, a specific number of men should be assigned to that function. The rest would be part of a "Major Offenders" unit within the Division that would target its cases within state police priorities. The Arizona Department of Public Safety accomplished this by establishing two "service units."[9] Such service units could no more respond to every request than can the entire Narcotics Division now. But at least those seeking help could better recognize the limited resources available for assistance and the state police would have the security of knowing most manpower was free for major investigation.

Table 5.1. **Drug Evidence Purchased By State Police 1977**

NUMBER OF (BUYS)	NUMBER OF DEFENDANTS	AMOUNT OF EVIDENCE PURCHASED	VALUE OF CONTRABAND
		HEROIN: 2¾ ounces, 44½ grams, 88 bindles	$ 8,696.00
		COCAINE: 8 bindles, 1 gram	520.00
		MARIJUANA: 1 8½ 's, 6-5 ounce, 4 sticks	5,128,75
		DELTA-9-TETRAHYDROCANNABINOL: 2½ pills, 1 paper	17.00
		METAMPHETAMINE: 13 bindles, 114 tabs, 1 gram	460.00
		PEYOTE: 2 caps	1.00
		METHADONE: 4 bottles	40.00
421	536	AMPHETAMINES: 5 bottles, 544 caps	402.00
		DARVON: 40 tabs	-0-
		METHEDRINE: 1 gram	35.00
		HASHISH: 2 vial oil, 16 packets, 15 grams	345.00
		OPIUM: ½ ounce, 7 grams	73.00
		MESCALINE: 1 gram	20.00
		LYSERGIC ACID DIETHYLAMIDE (LSD): 20 tabs	45.00
		DEMEROL: 1 cap	10.00
		PERCODAN: 2 tabs	-0-
		VALIUM: 15 tabs	2.80
		BARBITURATE: 168 tabs	30.00
		PHENCYCLODINE (PCP): 1 tablespoon, 4 bindles, 2½ grams, 2 caps	282.00
		FOSTEN: 15 tabs	6.00
		TEPONIL: 2 caps	-0-
		PHENTERMINE HYDROCHLORIDE: 23 caps	15.00
		QUAALUDE: 40 tabs	60.00
		METHAQUALONE: 3 caps	6.00
		PHENOBARBITOL: 38 caps	40.00
		SUB TOTAL — DRUGS	$16,233.75

Source: New Mexico State Police, Narcotics Division 1978 Annual Report.

RECOMMENDATIONS:

1. The State Police should create a Service Unit in its Narcotics Division to respond to local requests for drug enforcement.

2. The State Police should create a Major Offenders Unit in its Narcotics Division to pursue targets established by state police priorities. Given the extent of major trafficking in New Mexico, this Unit should be composed of two-thirds of the Narcotics Division agents.

The second reason why the Narcotics Division has not tackled as many major investigations as it could is lack of money. In fiscal year 1977-78, the division had $55,000 in "buy money," $15,000 of which was a supplemental grant. The $55,000 may not have been adequate for even one successful penetration of a major trafficking organization, and it certainly could not support a 20-man major investigations unit.

Per diem expenses are also a problem. State Police drug agents now often need to check if there is enough money for them to continue an additional day on a drug investigation.[10] Sophisticated dealers know they can be assured they are not dealing with undercover state police officers if they can string a transaction out for several days; the state police cannot afford the per diem for the undercover agent and those conducting back-up

surveillance.

Finally, salaries for drug agents must be commensurate with the extent of their work. State police officers are not paid overtime. Yet drug agents average 12-hour days and rarely are able to take advantage of compensatory time. Replacing the skills a drug officer has developed through years of work and training is expensive; it is far cheaper to raise salaries and retain officers as drug agents than to save on salaries and suffer substantial turnover.

Of course, establishing a Major Offenders Unit in the Narcotics Division, supplying the necessary buy money, and appropriating adequate salaries and per diem can cost considerable sums of money. But there is a source available. In 1977, the State Police obtained $165,841 from the sale of vehicles and aircraft confiscated for violation of the state's drug laws.[11] It seems only appropriate that this sum should be specifically allotted to the Major Offenders Section for "buy money" and the salaries and per diem such a unit would need beyond the amount allocated to a similar number of regular police officers. Money from fines of convicted drug offenders could also be added.

RECOMMENDATION: *The legislature should appropriate at least $150,000 per year to a Major Offenders Unit of the State Police Narcotics Division for "buy money," incentive pay, and extraordinary per diem expenses.*

3. **The Small-Scale Trafficking Problem:**

While most authorities in law enforcement are rightly concerned about the major trafficker, the citizen most often confronts what we described in Table 1.3 as the "Low Level" drug operation. And while experts can agree that high level prosecutions are the most effective methods of stemming the tide of drug trafficking, there is also an obvious need for law enforcement, particularly local law enforcement, to pursue the small-scale dealer. The small dealer may provide a link—a possible informant—to the major organizations. Also, in many small towns and rural areas small drug operations are the only drug problem that exists, so it makes no sense to insist that local law enforcement focus only on large-scale dealers. Testimony at our hearings suggested that vigorous investigation of small-scale drug dealers greatly eased the hard drug problems in several communities and led to significant reductions in the burglary and robbery rates. Finally, small operations if not stopped get bigger, at times forming links with major organizations.

From our hearings it is clear that drug dealing has spread to every substantial community in the state. Each police department and sheriff's office should be equipped to deal with the problem.

RECOMMENDATION: *Every law enforcement agency with a jurisdiction including a community of 5,000 or more persons should have at least one officer with specialized training in drug enforcement, who is assigned to drug investigations.*

Unfortunately, investigating low-level dealers is not nearly so easy or inexpensive as might be suggested by the disdain of those who contend that only "substantial" cases be investigated.

First, there is the need to find and cultivate sources of information concerning drug dealing in the community, which can be a full-time task in itself. Then, when the investigation becomes operational and an attempt is made to penetrate local dealers through undercover drug purchases, costs can soar. Surveillance of undercover purchases, both to corroborate and protect the undercover agents, can be a severe drain on manpower. The most convincing evidence of what happened when a buy took place is a tape recording of the incident; but the sophisticated electronic equipment needed for such recordings is expensive.

Then, of course, there is the obvious cost of "buy money." The Albuquerque Police Department budget for 1977 included $50,000 for buy and expense money and the Las Cruces Metro Squad had $15,000.[12] But there is much less elsewhere and towns as large as Las Vegas had no buy money appropriated at all. In some areas of the state dealers know how much buy money is available and will deal only in quantities above that figure. Too often events occur such as in one town where a cocaine arrest fell through when an undercover agent who had convinced a dealer to sell him an ounce could not get enough money to buy it and could not convince the dealer to sell him just a gram, which he could afford.[13]

The biggest cost, however, is for the undercover agent. Outside of large metropolitan areas, a local drug agent cannot work undercover in his own jurisdiction; he is too well known.[14] A stranger must be brought in. If the agent is from another law enforcement unit, the costs of per diem for weeks of undercover work add up quickly, particularly if he also is paid for overtime. If the agent is not a law enforcement officer, but is a private citizen hired on contract, he needs a regular salary.

Every prosecutor and drug enforcement officer we spoke to would prefer using a trained, sworn law enforcement officer rather than a contract undercover agent. The individuals who are willing to work in the latter capacity frequently have criminal backgrounds, are not as trained in or committed to proper law enforcement techniques, and are not as credible witnesses to the jurors who decide if an accused drug dealer is guilty of the charge.

But it is not easy to obtain a trained law enforcement officer to come into a community for undercover work. If, as we recommended in the preceding section, the State Police Narcotics Division focuses on major dealers, there will be little assistance available from it. One solution might be for local police agencies to exchange officers for undercover work. This has been done on occasion; but there are obstacles to this practice. Too few local agencies have trained drug officers, so the demand on those that have the skilled manpower could be excessive. Also, not every trained drug officer could be effective undercover. Some are skilled in the techniques of developing and using informants, but have little or no undercover experience of their own. Others who are among the most respected agents in the state could not be credible undercover agents because of their age and the

likelihood that they could be recognized anywhere in the state. Exchanges of local drug officers for undercover work should be encouraged as much as possible, and more such exchanges can take place as more police departments and sheriff's offices have trained drug officers; but this cannot be the complete solution at this time.

Therefore, the use of contract undercover agents will need to continue. As noted above, there are risks in this practice. On occasion charges have had to be dismissed because of misconduct by such agents. Not only does an entire investigation go to waste, but disclosure of the misconduct creates public distrust of law enforcement which can affect all police work. It is consequently essential that there be the utmost supervision and care in the use of contract undercover agents. Thorough background checks on the agent are necessary. The district attorney's office should be involved from the outset to avoid problems such as claims of entrapment that can make a case unprosecutable. Close surveillance of the agent is important, and the use of a body tape recorder on the agent is necessary to confirm his testimony concerning a transaction.

RECOMMENDATIONS:

1. Local law enforcement agencies should cooperate fully in the exchange of trained drug officers for undercover work in each other's communities.

2. When contract undercover agents are used in drug investigations, the supervising law enforcement officers should make thorough background checks on the agent, use body tape recorders to corroborate the agent whenever possible, and work closely with prosecutors to avoid problems such as entrapment.

a. MARIJUANA: The common drug of abuse and arrest:

Perhaps the most controversial issue regarding enforcement of lower level drug violations is the extent to which officers are involved in arrests for offenses involving small quantities of marijuana.

Table 5.2 shows the number and percent of drug arrests in New Mexico for the years 1975 and 1976. These are the two most recent years for which data is available.

The table shows that despite efforts to focus law enforcement priorities on those drugs having the gravest social costs to our society, marijuana is still the most common drug of arrest. As Table 5.3 graphically shows, the gap between soft drug (marijuana) and hard drug arrests is increasing.

If the marijuana arrests were for major distributors of the drug, the data would be more consistent with drug enforcement priorities. Unfortunately, the best data available on a statewide basis does not distinguish between large and small cases. Table 5.4 divides cases into sales and possession; but a sale arrest could be for less than an ounce and a possession charge could be for a planeload:

The Commission was able to obtain detailed statistics from some police departments, however, and they indicate the predominance of minor cases. Table 5.5 gives the data for Aztec; and Table 5.6, the data for Carlsbad. (During the period covered by the table, Carlsbad did not have a specialized drug officer, but a change is expected as the result of our public hearing for that portion of the state.)

Table 5.2. **Drug Arrests in the State of New Mexico**

DRUG OF ABUSE	1975@		1976@@	
	Arrests	Percent	Arrests	Percent
Opiates: (Heroin, Cocaine@@@, Opium & Derivatives	909	12%	494	10%
Marijuana	5,887	80%	4,282	84%
Dangerous Drugs	319	5%	128	3%
Hallucinogens	191	3%	127	3%
	7,306	100%	5,031	100%

@ Source: E.A. Maxwell, Governor's Organized Crime Prevention Commission hearings.

@@ Source: E.A. Maxwell, New Mexico State Police Uniform Crime Reporting United, Communication February 6, 1978.

@@@ - Federal and State Law Enforcement list Cocaine as an Opiate.

The extent to which these minor cases represent a misallocation of police resources depends greatly on the nature of the arrest. If the arrest was by a detective or drug agent, it may represent a significant expenditure of time and effort. If the arrest was by a uniformed officer, it likely involved no more investigative effort than detecting the odor of marijuana in a vehicle stopped for a traffic violation. In order to better understand the allocation of police resources and how they should be rearranged, better data are necessary. The State Police Narcotics Division regularly provides extensive statistics on drug arrests and seizures by all state police officers; but similar information is necessary for other agencies.

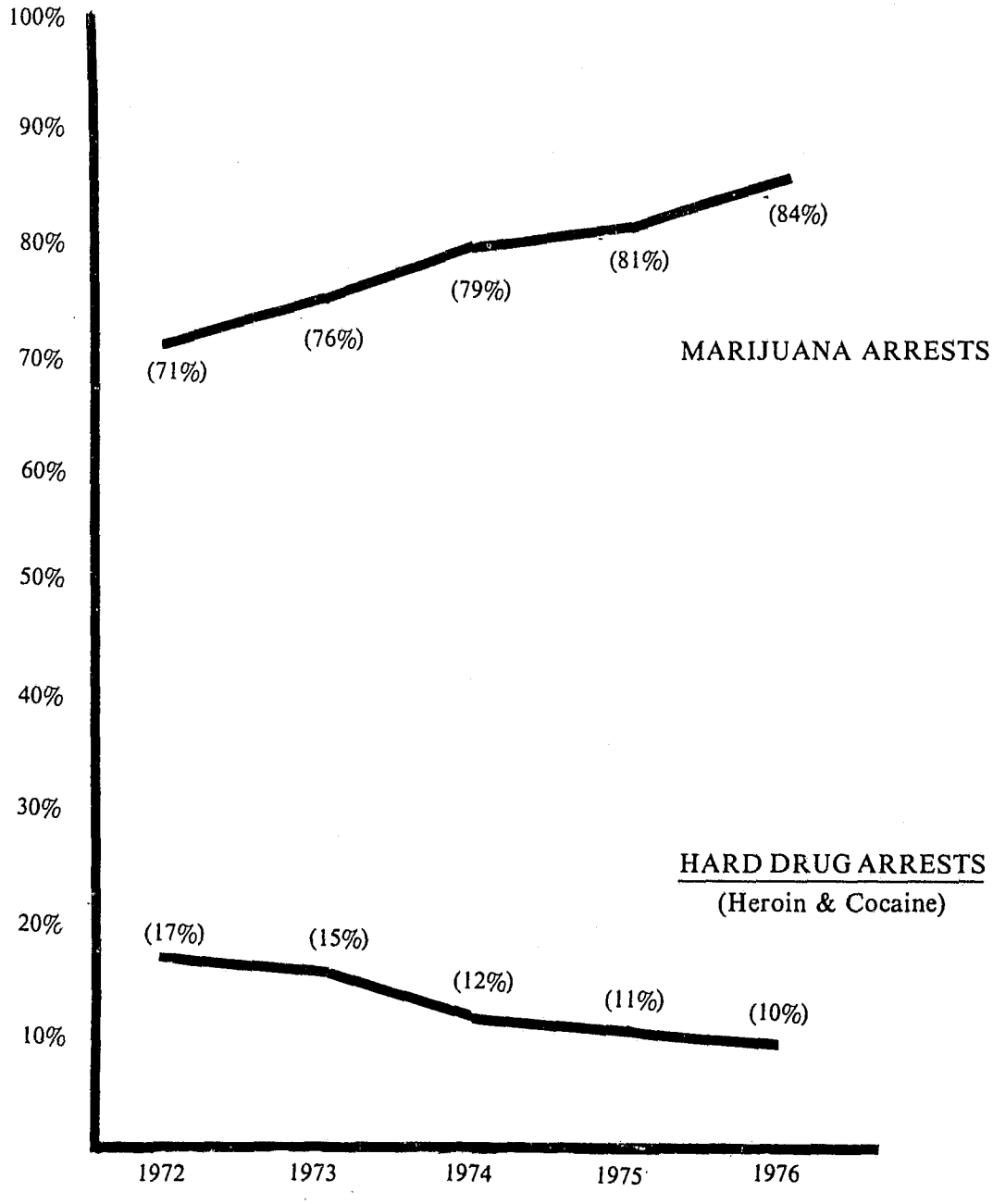
RECOMMENDATION: *The Criminal Justice Department should provide standardized forms for drug arrests which state the agency of the arresting officer, whether the officer is uniformed or a detective or drug agent, the exact criminal charge, and the quantity of drugs seized. The state police should also develop standards for measuring the scale of drug trafficking in which the offender is involved.*

Studies have been made in other states to estimate the costs of arrests for relatively minor marijuana offenses, as part of an argument that possession of small quantities of marijuana should be decriminalized. The Commission's examination of those studies, however, found the assumptions that were made questionable and inapplicable to New Mexico. In any case, New Mexico has virtually decriminalized marijuana in practice. A common view among prosecutors and judges was expressed by District Attorney Joseph Caldwell of the 8th Judicial District, who noted: "A lot of people grow grass in Taos." He went on to say:

"The use of marijuana is so prevalent [in Taos] that it is not possible to treat every person that uses it as a

criminal, because we would be dealing with almost all of our sons and daughters if we have children that age. We would be dealing with a great many of the people that live in Taos and have functional lives otherwise."[15]

Table 5.3. **Hard Drug and Marijuana Arrests in New Mexico (1972-1976) as a Percent of Total Drug Arrests**



Source: Governor's Council on Criminal Justice Planning
1977 Criminal Justice Comprehensive Plan.

Table 5.4. **Marijuana Arrests in the State of New Mexico 1976***

Agency...State Police				Other Law Enforcement			
Type of Arrest.....	**Sale**		**Possession**		**Sale**		**Possession**	
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**
	175	23%	568	77%	345	13%	3,194	87%

*Source: New Mexico State Police, Uniform Crime Reporting Unit Communication, February 6, 1978.

Given situations like this, and extremely limited local law enforcement resources, many jurisdictions, particularly in the northern half of the state, have moved to a citation-fine system similar to that used in states which have formally decriminalized marijuana; and the city council of Las Cruces has formally established this type of system in its jurisdiction.

Table 5.5. **Drug Arrest Profile of One Small But Typical New Mexico Community (Aztec, New Mexico).**

	Time Period			
Drug of Arrest	**July-December 1975**	**January-June 1976**	**July-December 1976**	**January-June 1977**
Controlled Substance	4	3	0	0
Marijuana				
Less than 1 oz.	3	5	8	10
1 oz. to 8 oz.	3	1	0	2
Over 8 oz.	0	0	0	0
Intent to distribute	0	0	0	1
Total for Period	10	6	8	13
% less than 1 oz.	(60%)	(83%)	(100%)	(77%)

Source: Aztec, New Mexico, Police Department.

In New Mexico one who possesses less than an ounce of marijuana risks a jail sentence in only a few communities. The chief issue in New Mexico with respect to the social costs of marijuana enforcement therefore does not concern the appropriate punishment, but concerns the extent of police time devoted to arrests for minor marijuana offenses. Without better data on the nature of such arrests (are they the result of undercover investigations or a byproduct of automobile stops for traffic offenses), the issue cannot be fully resolved. The Commission can only repeat its concern that priorities for drug enforcement be established and followed.

Table 5.6. **Drug Arrest Profile for Carlsbad, New Mexico.**

Drug of Arrest	**Time Period**			
	July-December 1975	**January-June 1976**	**July-December 1976**	**January-June 1977**
Controlled Substance	2	1	2	1
Marijuana:				
Less than 1 oz.	27	48	41	36
1 oz. to 8 oz.	3	2	0	0
Over 8 oz.	0	0	0	3
Intent to distribute	3	1	2	5
Heroin	0	1	0	0
Cocaine	1	0	0	0
Hashish	0	2	1	0
Dangerous Drugs	1	1	1	1
Opium	0	1	0	0
Methadone	0	2	0	0
Totals	37	59	47	46
Percent Marijuana less than 1 ounce	(73%)	(81%)	(87%)	(78%)

Source: Carlsbad, New Mexico Police Department

4. Communication, Coordination, and Planning

The most productive, as well as the easiest, means of increasing the efficiency of the resources devoted to drug enforcement is to improve communication, coordination, and planning. Each law enforcement agency has its own geographical jurisdiction and its own priorities, but each can function more effectively if it receives assistance from the others. Ever since its creation, the Commission has stressed this need for greater interaction among drug enforcement agencies.

Failures of communication may have such mundane sources as incompatible radio equipment; but failures can also have more subtle causes. For example, the IRS plays an important role in the apprehension of high level drug dealers through investigations of possible income tax evasion by such persons; but recent federal legislation effectively prevents the IRS from transferring information to other agencies. As a result, the dialogue between IRS and drug enforcement officers has come to a halt; although drug agents may have information of use to the IRS, the possibility of turning the information over often simply doesn't enter the agents' minds. This situation is unnecessary. There is no reason to prohibit the transfer of legitimate law enforcement information from the IRS, particularly if the information is not gleaned from tax returns and if IRS procedures prohibit indiscriminate transfers.

Unfortunately, the problems of coordination and planning go far beyond obstacles raised by statutes or equipment. In interview after interview drug enforcement officers told the Commission staff of interagency jealousy and rivalry. Agents who feel they need to justify their budgets with drug arrests may guard their investigations so they do not have to share credit. Communication breaks down when one agency feels another is not contributing its fair share to joint operations or is taking all the glory.

Even where there is no hostility between drug enforcement agencies, communication is often lacking. Exchange of intelligence information is too informal and irregular. As a result, a local officer may be totally unaware of the significance of a meeting in a restaurant in his city and a drug dealer can easily leave one jurisdiction when the heat is on and start fresh elsewhere in the state.

Despite the gravity of the problem, we can still be optimistic about a solution. The Commission is convinced of the professionalism of the drug officers in the state. In several areas where we discovered that drug officers from different agencies refused to deal with one another, the Commission was able to remedy what was basically a simple misunderstanding.

What is needed now is a concerted effort to bring drug enforcement together in New Mexico. The Appendix to this chapter provides what the Commission believes will be an effective mechanism. First, a Drug Enforcement Coordinating Council of the most experienced drug enforcement officers in the state should be constituted.

Regular meetings of the Council in themselves will help facilitate cooperation and mutual trust. The Council will also institute its own measures to increase coordination, such as the regularized exchange among agencies of trained officers to work undercover outside of their jurisdictions. In addition, the Council will be responsible for a statewide plan for drug enforcement. Legislators have regularly expressed to this Commission their concern that they are unable to determine how best to allocate money for drug enforcement because of competition among agencies for such funds. Those with the responsibility for drug enforcement also should bear the responsibility for planning the use of the state's resources in drug enforcement.

Finally, and perhaps most importantly, the Council would supervise a statewide Drug Intelligence Information Network (DIIN). DIIN would belong to the statewide law enforcement community as a whole, not just one agency. In a spirit of joint effort, rather than of subservience to a "master" agency, drug enforcement in New Mexico could put together and analyze intelligence from throughout the state to establish targets and priorities.

RECOMMENDATION: *The Governor should convene a meeting of representatives of state and local law enforcement agencies to establish a Drug Enforcement Coordinating Council and Drug Intelligence Information Network.*

The legislature should appropriate the funds necessary for DECC and DIIN.

B. PROSECUTION

There are 13 district attorneys in the state, with supporting legal staffs of from one to 28 assistant district attorneys. Their involvement in drug prosecutions is largely dependent on the efforts and success of the police agencies in their jurisdictions. Whether the D.A.'s office has adequate manpower is thus primarily a matter of whether there are a sufficient number of skilled prosecutors available to handle cases professionally and to provide the needed assistance to law enforcement officers in their investigations.

The district attorneys offices are not a critical bottleneck in drug enforcement in New Mexico at the present time. The District Attorneys, past and present, who were interviewed indicated that they felt they were assigning adequate manpower to prosecute drug cases properly (although several stated they could use more attorneys to handle other matters). Some district attorneys work much more closely with drug officers during investigations than do others. But this appears to reflect the District Attorney's view of the role of his office in the investigation and prosecution process, rather than to be a consequence of the amount of manpower available.

In only one respect do district attorney resources appear to be seriously deficient. This is in the area of seeking prosecutions of major financiers of drug trafficking organizations. No district attorney has a financial investigator who, working with records obtained through grand jury subpoenas, could uncover the higher echelon financiers of drug trafficking organizations. Such financiers often never touch or see the illicit drugs they

underwrite with funding. They can be prosecuted only through investigations that prove their complicity in a conspiracy to violate drug laws or their violation of tax laws (since they would ordinarily not report their ill-gotten gains as income). Income tax prosecutions have often proved the most effective method of stopping organized criminals. Although federal tax authorities normally handle investigations of this type, law enforcement officials should not have to depend totally on federal authorities when drug financiers are identified.

RECOMMENDATION: *The legislature should provide funds for the specialized personnel and other resources necessary for the investigation and prosecution of drug financiers. Allocation of these resources should be pursuant to recommendations of the Drug Enforcement Coordinating Council.*

Determining how well district attorneys are performing with their resources is more difficult to measure than the adequacy of their manpower. Obtaining statistical data was a substantial chore in most districts and proved impossible in others. What is needed is a standardized process which records the initial charge and the disposition, with an indication of the reason for the disposition (plea bargaining, jury verdict, supression of evidence by the judge, etc.). Then it would be possible to examine in a systematic fashion what is happening to drug cases as they pass through the district attorney's office.

RECOMMENDATION: *The Criminal Justice Department and the Administrative Office of the Courts should develop a standardized, codable, form for reporting the processing of all drug prosecutions.*

Even with good data the evaluation of the performance of drug prosecutors is difficult. A dismissal listed on a form does not tell us whether the dismissal resulted from poor prosecutorial performance, faulty police work, improper court rulings, or simply bad luck. Similarly, statistics regarding the success of prosecutions may simply reflect the fact that one prosecutor is more likely than another to prosecute tough drug cases, and nothing about the justifications behind such policy decisions. Nevertheless, statistics can reveal gross incompetence and suggest questions that need to be asked about how well investigators, prosecutors, and courts are functioning.

C. THE JUDICIARY

The judiciary has two principal roles in the enforcement of drug laws; the authorization of search warrants and the sentencing of offenders.

In our hearings we heard surprisingly few complaints about the handling of search warrants. One question we posed was whether magistrates and judges were available when drug agents needed to seek a search warrant. We anticipated problems, particularly in rural areas, and asked prosecutors and judges about their views on search warrants that could be obtained over the telephone. But, to our surprise, even those who advocated the use of telephonic search warrants indicated there was little need for them. We heard of no cases in which an investigation was injured by the unavailability of a magistrate or judge to approve a warrant. Telephonic

warrants may still be advisable if (a) the telephone conversation is tape recorded; (b) the affiant is under oath; (c) and the affiant is an attorney. In light of our hearings we can state, however, that telephonic search warrants do not appear to be essential in drug investigations at this time.

With respect to sentencing, complaints were much more common. Some complaints, on analysis, amounted to criticism of the existing sentencing statutes, and some judges joined in law enforcement criticism of the early parole of certain drug offenders, (usually brought about by overcrowded conditions at the state penitentiary). But other attacks, which claimed certain judges were excessively lenient, could not be clearly substantiated by examination of available sentencing data. The great majority of judges sentenced heroin offenders to the statutory maximum sentence and gave probation or suspended sentences to marijuana offenders. Sentencing data did appear to support claims that marijuana cases were treated differently by different judges, but lacking the detailed facts of the cases, we were unable to make accurate comparisons. The most we can do is to venture two conclusions. First, some strong differences appear in the treatment of cases, usually possession cases, involving small amounts of marijuana. Some magistrates—a handful—sentence such offenders to jail; while in other jurisdictions such offenders are rarely arrested, much less sent to jail.

In addition, there are apparent discrepancies in the treatment of those apprehended with substantial quantities of marijuana. There are individuals serving 1-5 year sentences in the State Penitentiary on convictions of possession of marijuana in the 5th, 9th, and 12th judicial districts. But in other jurisdictions, we found the following:

Case A—232 lbs. marijuana; sentence suspended.

Case B—720 lbs. marijuana; sentence deferred.

Case C—11 Kilos of marijuana; one year suspended sentence. Items confiscated: 1965 Buick; $140 in cash.

Case D—93 Kilos of marijuana; one year summary probation. Items confiscated: 1970 Ford pickup; $7,029 in cash.

Case E—46 Kilos of marijuana; $10 court cost and one year deferred sentence. Items confiscated: 1973 Ford station wagon, four joints marijuana, and $199 in cash.

Case F—25 Kilos marijuana; fine $250. Items confiscated: $102.42 in cash.

From our hearings we found that there appear to be two possible reasons why in some jurisdictions these large lot smuggling cases are often dismissed, or reduced to misdeameanors with no prison or jail sentence being imposed. One is that there is an apparent attitude among some judges (as well as prosecutors) that transit of marijuana through their communities, where it is not destined to be used, is not their community's problem. Such an attitude is short-sighted. As others have found, lax enforcement in such circumstances can in time lead

to a disregard for law, entrance into their communities of trafficking organizations, and increased local drug use.[16]

Insofar as varying sentencing results from this source, meetings of prosecutors and judges from throughout the state could do much toward greater sentencing uniformity in large-scale marijuana smuggling cases.

The second possible reason for sentencing discrepency in the large lot marijuana cases may be lack of appreciation by the judiciary of the changing face of organized drug conspiracies. As we have tried to emphasize in Chapter 1, the large lot marijuana smuggler is not your scar-faced Mafioso. He is much more likely to look like that nice clean-cut kid next door. He is likely to come from a middle class or upper middle class background, to have a college education, or at least some college, and appear to be anything but a criminal earning between $100,000 and $300,000 a year. He is not likely to have a criminal record, or act like a gangster, and when a judge simply imposes a fine and suspended sentence or reduces the charges from a felony to a misdemeanor, it means he will for a little longer get away with the appearance of being just a "fuzzy-faced kid," supplying a few of his friends as he drives home from school or vacation. Almost every judge will sentence more harshly a professional drug dealer than a student making a one-time delivery to friends; but they often don't know which is which. Increased awareness by the judiciary of the new breed of criminal and criminal operation, together with thorough pre-sentence background investigations of offenders by law enforcement and probation officers, hopefully will rectify this situation.

RECOMMENDATIONS: *The next meeting of the state judiciary should include discussions with prosecutors and law enforcement personnel on the nature of drug trafficking in New Mexico and the creation of sentencing standards in drug cases to encourage greater uniformity in the treatment of offenders.*

Probation and law enforcement officers should devote special attention to pre-sentence investigations of drug offenders to distinguish upper echelon from lower echelon dealers.

D. CORRECTIONS

The Commission gave special attention to the State Penitentiary in researching this report, after a number of comments at our hearings suggested that it was a center of drug smuggling and drug use. Data from New Mexico State Police Laboratory indicated that they had tested and confirmed six incidents of heroin being confiscated in the penitentiary in the first half of 1976.[17] The samples ranged in purity from 6% to 34%. This latter wholesale quality sample was uncovered in the first successful investigation of smuggling of heroin into the penitentiary. This case appears to have marked the beginning of a number of improvements in procedures at the institution. A site visit in 1978 by our staff found these changes were physically noticeable.

First, gate security has been improved. A detailed entrance procedure has been instituted, and the passing of containers or packages from visitor to inmate without staff examination has been eliminated. In addition, clear

written statements of procedures regarding visitor conduct and possible search are posted.

Second, improved oversight, interviewing, examination and testing of all corrections staff has been developed. This periodic testing and oversight, plus additional training opportunities, appears to have improved staff morale and expertise, and has helped to lower the incidence of drug contraband in the facility.

Third, medical and pharmacy procedures within the penitentiary have been altered. A full-time pharmacist and doctor are now employed at the institution and they oversee the prescription, administration and dispensing of all drugs.

A fourth change, obvious on the site visit, was that the penitentiary now appears to be operating under a maximum security philosophy. This means that prisoner contact and association with staff and visitors is limited. It is not our place to evaluate whether this correctional philosophy best meets the needs of the state, but it does appear this approach has significantly reduced the amount of drug use in the prison. A follow-up examination of New Mexico State police laboratory samples for the period after the introduction of these changes found only two samples of heroin had been confiscated at the penitentiary, and they were of relatively low purity.

We have not had the opportunity to tour or examine other correctional institutions in the state regarding internal drug use and drug smuggling. We can only note that regardless of the type of facility—be it a maximum or minimum institution—every effort must be made to keep our penal institutions drug free.

RECOMMENDATION: *Careful planning should go into the development of any new medium or minimum security facilities to prevent drug smuggling and to assure that they remain as drug-free as possible.*

E. TREATMENT

The final set of resources to deal with the drug problem are the treatment and prevention programs. If treatment cannot restore the drug abuser as an adjusted, contributing member of society, he will continue to be the burden of law enforcement agencies.

Unfortunately, there are few cures and no easy panaceas when it comes to the treatment of addiction. No treatment officials boast that their methods can handle all addicts. On the contrary, they continued to emphasize to us the difficulty of their task. Moreover, although every program expressed the view that it was making significant contributions, there are no satisfactory data on the success of these programs. The chief cause of this absence of data is the lack of clear definitions of what constitutes success for a treatment program. When a client of a program is arrested for burglary, it is understandable for a law enforcement officer to view the program as a failure; but the program supervisor may note that the offender was a member of a small minority of his clientele, that the offender had only been in the program a short time and had received very little treatment, or even that

the client had in fact benefitted greatly from the program in that he had switched from a life-style of almost continual crime to only occasional and less serious offenses. On the other hand, statistics from treatment programs may rate as successes all clients who graduate from the programs, even though a client may revert to his old ways and life-style shortly after graduation. At our Albuquerque hearings one treatment official expressed the view that success would be a patient who only occasionally smoked a joint of marijuana and at times consumed a six-pack of beer; if the individual could hold a job and function in society, treatment has been a success.

The greatest controversy concerning the success of various treatment modes surrounds the methadone programs for heroin addicts. Methadone maintenance is not treatment. It is the transference to a legal form of addiction from an illegal one. It is preferable to heroin in that an addict requires a dose only once a day (so that he need not continually return to the treatment center or be given take-home doses each day); but withdrawal is often longer and more difficult than heroin withdrawal. There are several drug free programs for addicts in the state which stress either a religious or spartan life style. But they have limited capacities and admit that they do not attract a large proportion of the addict population.

The New Mexico programs that administer methadone use it to free the client from heroin addiction and have the eventual goal of freeing the addict from methadone dependence as well. The methadone has the principal function of enabling the client to maintain a relatively normal life-style. Unfortunately, for some of the older hard-core addicts, attempts to totaliy eliminate drug dependence often fail.

There are the following hard drug methadone maintenance and dispensing centers in the state of New Mexico:[18]

	Static Capacity	Dynamic Capacity
La Puerta, Santa Fe	85	185
La Salida, Las Vegas	40	120
La Llave, Albuquerque	520	1,300
Vencedor, Carlsbad	23	40
Alamogordo, Inc.	23-27	40
Esperanza Inc., Hobbs	30	60

Static capacity refers to the patient load that a facility can handle at any given time; dynamic capacity refers to the total that can be handled by the facility, given client turnover, during the course of the year. None of these programs has residential-care facilities.

Tables 5.7, 5.8, 5.9, and 5.10 which were developed by the Department of Hospitals and Institutions, Drug Abuse Division, illustrate the type of client groups in treatment in various methadone programs around the state, and the clients groups the programs are successful with, as measured by completion of the treatment program.

These tables indicate rather graphically the problems and frustrations facing the treatment community. The addict is an outcast, and usually an ex-convict. Sense of self, character, direction and purpose are not strong parts of the addict's character outside of a deep commitment to the "high" that addiction brings. Employment is critical for it is the prime means for breaking the peer group and life-style connection which so reinforces addiction among the addict community. Yet the statistics in table 5.10 on addict employment starkly illustrate how rarely it is obtained. Without some form of employment, preferably employment in a location different from the environment where the client's addiction was nurtured, there is little hope that therapy, counseling, and personal effort will be sustaining in the long run. From this perspective it is surprising that these treatment centers have even the limited successes that they do.

TABLE 5.7

Number and Percentage of Addicts Completing Treatment Versus "Splitting"* Discharges From New Mexico Methadone Programs, July 1975-May 1976

	Completed Treatment		"Split"	
	N	%	N	%
La Llave	136	33.9	265	66.1
La Puerta	32	49.2	33	50.8
La Salida	20	51.3	19	48.7
Esperanza	10	23.2	33	76.8
Alamogordo	24	70.6	10	29.4
Vencedor	14	51.9	13	48.1
STATE TOTAL	236	38.8	373	61.2

*A splitter is a client who was discharged for non-compliance or who left before completing treatment.

Source for this and the following tables: Department of Hospitals and Institutions—First Annual Revisions 1977-1978, N.M. State Plan for Mental Health Services, pp. 40-3.

TABLE 5.8

Percentage of Clients Completing Treatment Versus "Splitting" As A Function of Ethnic Background New Mexico Methadone Program Discharges, July 1975-May 1976

	Hispanic		Anglo		Black		Indian		Other	
	Completed Treatment	"Split"	Completed Treatment	"Split"	Completed Treatment	"Split"	Completed Treatment	"Split"	Completed Treatment	"Split"
La LLave	37.3	62.7	24.3	75.7	57.2	42.8	100.0	0.0	0.0	100.0
La Puerta	52.1	47.9	41.2	58.8	-	-	-	-	-	-
La Salida	50.0	50.0	100.0	0.0	100.0	0.0	-	-	0.0	100.0
Esperanza	13.3	86.7	85.7	14.3	100.0	0.0	100.0	0.0	-	-
Alamogordo	66.7	33.3	80.0	20.0	0.0	100.0	-	-	-	-
Vencedor	54.5	45.5	53.3	46.7	0.0	100.0	-	-	-	-
STATE TOTAL										
Number	170	245	60	102	5	4	3	0	0	4
Percent	41.0	59.0	37.0	63.0	55.6	44.4	100.0	0.0	0.0	100.0

TABLE 5.9

New Mexico Methadone Program Discharges, July 1975-May 1976

Number and Percentage of Clients Completing Treatment Versus "Splitting" as a Function of the Sex of the Client

	Male				Female			
	Completed Treatment		"Split"		Completed Treatment		"Split"	
	N	%	N	%	N	%	N	%
La Llave	102	32.8	209	67.2	36	37.9	59	62.1
La Puerta	27	50.0	27	50.0	5	45.5	6	54.5
La Salida	17	51.5	16	48.5	3	50.0	3	50.0
Esperanza	7	21.2	26	78.8	3	30.0	7	70.0
Alamogordo	14	58.3	10	41.7	10	100.0	0	0.0
Vencedor	9	56.2	7	43.8	5	45.5	6	54.5
STATE TOTAL	176	37.4	295	62.6	62	43.4	81	56.6

TABLE 5.10

Employment Status At Discharge
Addicts Completing Treatment Versus Those "Splitting"
New Mexico Methadone Programs, July 1975-May 1976

Percent in Each Employment Category

	Completed Treatment			"Split"		
	None	Part-Time	Full-Time	None	Part-Time	Full-Time
La Llave	64.5	3.6	31.9	74.6	4.1	21.3
La Puerta	31.2	18.8	50.0	66.7	12.1	21.2
La Salida	90.0	-	10.0	94.7	-	5.3
Esperanza	50.0	-	50.0	63.6	27.3	9.1
Alamogordo	45.8	4.2	50.0	50.0	-	50.0
Vencedor	50.0	-	50.0	30.8	23.1	46.2
TOTAL Number	140	12	86	270	27	79
TOTAL Percent	58.8	5.0	36.1	71.8	7.2	21.0

Because of the strong influence of addict sub-culture, peer group and life-style pressure on the addict in treatment, as well as the need of addicts on the street to push heroin in order to get the money to slake their own habits, all peer group and sub-culture connections that the addict has had in the past must be broken in order to facilitate treatment. For this reason some experts believe in sending addicts to other states for treatment. And in part for this reason, law enforcement tends to view treatment centers with addicts—or ex-addicts who have not made significant life-style changes—in positions of responsibility, on boards of centers, or in counseling, as potential corrupting influences on the addict in treatment.

RECOMMENDATIONS: *The Health and Environment Department (HED), in cooperation with the treatment community, should continue to develop more meaningful measures of the effectiveness of treatment programs and treatment agencies, so that more satisfactory evaluations of program success and failure can be made.*

Residential treatment facilities in different sections of the state, and cooperative agreements with residential facilities in other areas of the country, should be established so that the addict can escape from the street and break out of the life-style of his home environment.

In light of the need to alter significantly life-style and peer group models, all treatment facilities should be run and directed by trained professionals. Addicts (even drug-free ex-addicts), who have not altered their peer contacts or life-styles, do not appear to serve the best interests of treatment or the elimination of drug dependency and should not be in positions of influence.

1. Methadone Centers and Law Enforcement

During the course of its hearings, the Commission was impressed by the extent of hostility between treatment programs and law enforcement agencies. Police officers were convinced that the methadone distribution centers were hotbeds of heroin trafficking, that clients of the centers were not properly tested (through urinalysis) to determine if they were continuing to use heroin, and that methadone was being dispensed so carelessly that substantial quantities were being distributed in illicit markets. [19] Treatment center personnel, on the other hand, were convinced that law enforcement was intent on disrupting the programs through harassment of clients. [20]

The Commission was unable to conduct an independent investigation of the charges. But it is convinced that better communication must be established between treatment and law enforcement. There is no reason why treatment officials cannot explain in detail to law enforcement agencies the steps they take to prevent trafficking at treatment centers, to ensure that clients are not taking heroin, and to eliminate diversion of methadone. Likewise, law enforcement agencies should justify what may appear to be harassment to treatment personnel. Regular contact between treatment and law enforcement can also have other good effects. In one community a law enforcement agency was very suspicious that methadone discovered in its investigations was being diverted from a local methadone program; but not until our public hearings in the community did the agency learn that the local program added a chemical to the methadone it dipensed so that its methadone could be readily identified and police suspicions confirmed or disproved.

There will no doubt still be misunderstandings which cannot be cleared up by the local agencies involved because of the need to maintain client confidences or the confidentiality of police investigations. But then the State Health and Environment Department, which supervises the methadone programs, and the Criminal Justice Department, which includes the State Police, can and should act as referees. In addition, in those cases in which the problem is more than a misunderstanding and actually stems from misconduct or negligence by one of the parties, these state agencies have the power to initiate appropriate action.

RECOMMENDATIONS: *Law enforcement personnel engaged in drug enforcement and members of the drug treatment community should meet regularly to discuss mutual problems, including the patterns and trends in drug use in a community and those areas where mutual cooperation and interaction is needed. The Criminal Justice Department and the Health and Environment Department should actively encourage such meetings and act as referees in disputes between local agencies.*

Where methadone maintenance is used as a form of treatment, extreme care should be used to guarantee it does not enter the illegal market and become a new drug of abuse. Treatment directors have this responsibility and law enforcement should not hesitate to publicize and crack down on methadone misuse.

F. THE SCHOOLS

The public schools play a two-fold role in drug rehabilitation and prevention. They refer for treatment any

drug abuse problems among their student population, and they engage in preventive education.

Referral of students to counseling and treatment programs appear to be the most used method of handling continuing drug abuse problems in the schools. Although most educators expressed the view that alcohol and drug use by students is a problem, rarely did we find any instance of hard drug (heroin) use by students. Overall, drug abuse does not appear to be a serious source of disruption on campus.

We found from our hearings that law enforcement is handicapped when attempting to deal with drug problems in our high schools and junior highs. Simply working on a campus is difficult given the age differences between agents and students. Thus undercover operations are nearly impossible. Teachers may detect drug use or sales but rarely do they have sufficient evidence to support any criminal charges. As a result the role of school officials tends to be limited to the counseling of drug users and suspected users and the referral of problem drug abusers to community treatment programs or juvenile probation officers.

Preventive education is conducted in all schools. Our hearings indicate, however, that drug education deals less and less with drugs. Scientific research on the subject is limited, but several witnesses expressed the view that school classes devoted to clinical description of drugs and their effects only encourages experimentation. As a result, the "drug education" curriculum is concentrating on mental health, with an emphasis on the students' development of self-confidence and a positive outlook.

SUMMARY DATA BY JUDICIAL DISTRICT:

To the Reader:

Before examining our summary data on each Judicial District, it is important for the reader to understand the following notes about the tables.

. . . By the number of trained drug officers we mean those that have attended at least the DEA two-week drug school. In some cities officers have had additional training. In most the two-week school is all the training they have had. We do not count New Mexico State Police Narcotics Agents in this summary.

. . . Estimated number of heroin addicts refers to estimates made by local law enforcement officers.

. . . Heroin Purity is based on data that the Commission staff collected from the New Mexico State Police laboratory. It is based on samples local police send in for analysis. Not all departments do this; some use private chemists, others have their own labs. Thus, this data provides only a limited indication of trafficking and heroin purity. The national purity average in September 1976 was 5.1%. 1976 is the beginning period of our data collection and analysis; by 1978 purity statewide is down by several percent.

. . . We list samples above 5.1% because this would be excellent "street grade" heroin and provides the reader with an index of street quality in his area.

. . . We list the samples above 15% purity because this is a good index of the level of wholesale quality. If these numbers for an area are high, it should indicate to the reader that law enforcement has seized major shipments or heroin transshipments in that judicial district.

. . . Hospital data are used to indicate the local use of heroin in the Judicial District. They also indicate the total drug emergencies which gives the reader a fairly good indicator of the extent of prescription and dangerous drug abuse in the area. Only a small number of drug emergencies, 10-15%, involved simple accidents or poisons.

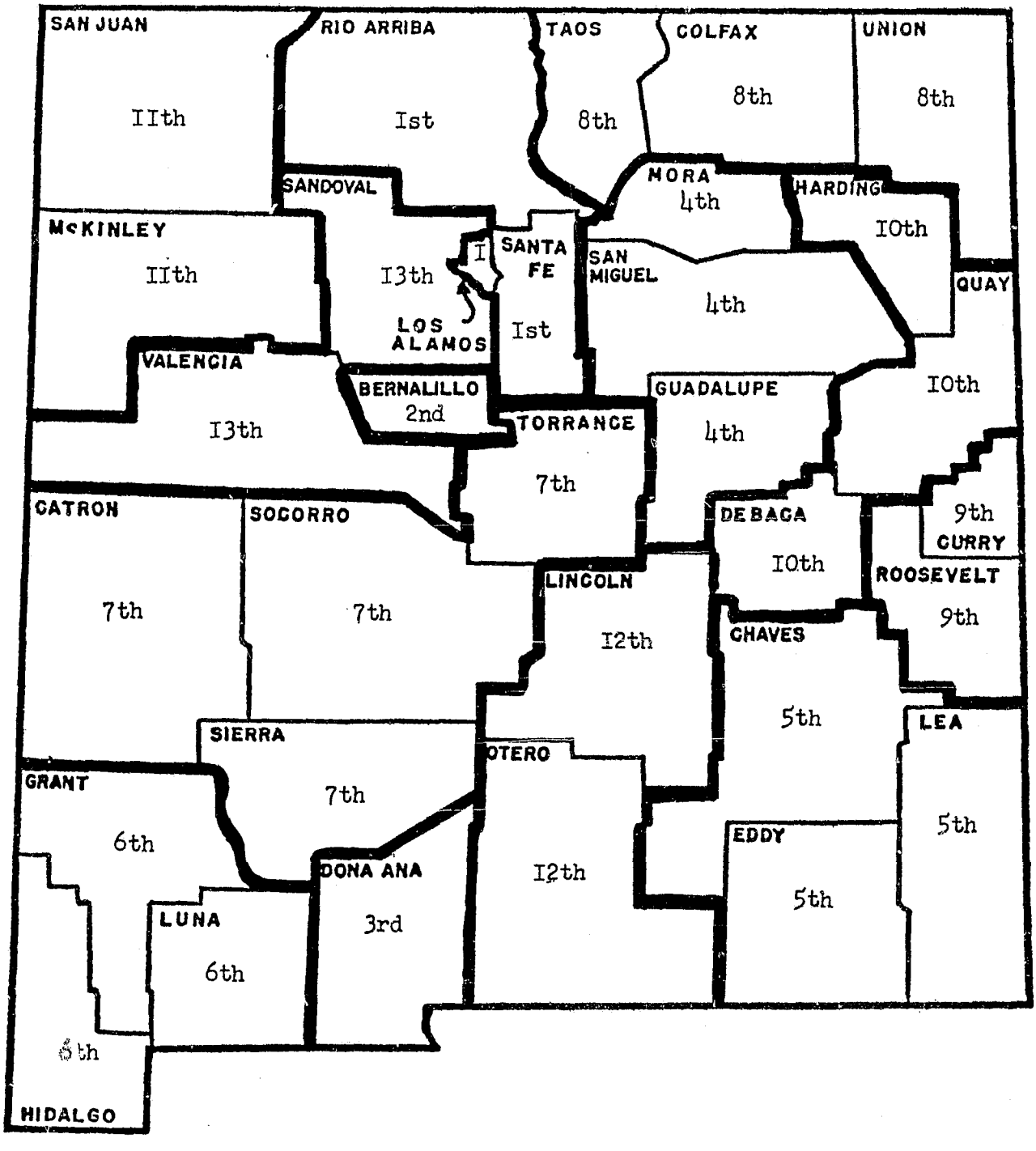
Drug arrest data were not provided by all jurisdictions and some jurisdictions normally include heroin and cocaine as opiates, while others list everything but heroin under "controlled substances." Thus, this measure is of limited use, except as illustrative of the pattern of the arrests within the district. Only arrests by local law enforcement are included.

The drug problem in schools is stated in summary fashion. Many schools responded to our questionnaire and we provide here the general pattern. Overall, alcohol and marijuana use in school and outside school hours represent the biggest youth drug problem in the state. This is followed by abuse of "medicine cabinet drugs," " speed," and solvents (in some, primarily the more urban, areas).

Treatment facilities are included only to indicate the existence of or quantity of this resource available in the district in comparison with the scope of the district problem.

NEW MEXICO JUDICIAL DISTRICTS

BY COUNTY



Resources and Problems

1st Judicial District

Major Cities	Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Santa Fe	44,800	87	4	200-500
Espanola	5,600	23	0	50-75
Los Alamos	15,900	30	0	10-15

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples over 15%
Santa Fe	17	8	0
Los Alamos	0	0	0
Rio Arriba	3	0	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	0	0	62	2

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Los Alamos Police Dept. (1/1/75-8/31/77)	77	1	3	1	0	3

Santa Fe — No data provided

Española — data provided does not list drug arrests.

Total	77	1	3	1	0	3
Percent of total	91%	1.5%	3%	1.5%	0%	3%

Drug Problems in Schools: Problem centered mainly in High School.
Alcohol is major drug problem; some marijuana

Treatment Facilities Available:
La Puerta, Santa Fe (methadone)
Delancy Street, Española (soft drug)
3HO Foundation Drug Prevention and Rehabilitation Center, Española (soft drug)
Guadalupe Clinic, Santa Fe (methadone)

Resources and Problems

2nd Judicial District

Major Cities	Population	Size of Police Dept.	Number of Trained Drug Officers	Estimated No. Heroin Addicts
Albuquerque	300,374	480	15	2,500-5,000

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.2%	No. of Samples Over 15%

Bernalillo: Albuquerque Police Department tests samples on District Attorney's request only. 1977 street level purity average down to 1%-3%.

Hospital Data	Needle Hepatitis Cases	Overdose Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	9	3	743	26

Drug Arrests Agency Reporting	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Albuquerque Police Dept. (1/1/77-12/31/77)	141	211	46	40	5	16
Total	141	211	46	40	5	16
Percent of Total	31%	46%	10%	9%	1%	3%

Drug Problems in Schools: Some heroin; alcohol and marijuana widespread.
Dangerous drugs in Heights (15-19 yrs. age group)
Solvent abuse in late elementary and junior highs in valley.
Polydrug abuse among youths increasing.

Treatment Facilities Available: La Llave (methadone)
Drug Addicts Recovery Enterprises, Inc. (DARE) (drug-free)
Drug Abuse Education and Coordination Center (DAECC) (soft drugs and solvent abuse)
Bernalillo County Medical Center, Mental Health (soft drugs and polydrugs)

Resources and Problems

3rd Judicial District

Major Cities	Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Las Cruces	41,600	79	5	300

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Doña Ana	38	31	9

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	2	0	55	6

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Las Cruces Police Dept. (1/1/75-12/31/76)	210	33	0	0	0	29*
Total	210	33	0	0	0	29
Percent of total	77%	12%	0%	0%	0%	11%

*21 arrests involve hashish.

Drug Problems in Schools: Alcohol and marijuana are the major problems in the high schools and middle schools. Some solvents, dangerous drugs, cocaine and heroin reported in high schools.

Treatment Facilities Available: Southwest Mental Health Center, Las Cruces (soft drugs)

Resources and Problems

4th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Las Vegas	15,900	28	0	60-75
Santa Rosa	2,525	5	0	unknown

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
San Miguel	20	8	3
Mora	0	0	0
Guadalupe	2	1	1

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
NO DATA PROVIDED				

Drug Arrests Agency Reporting	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
San Miguel County Sheriff's Office (1/1/77-6/30/77)	35	18	0	1	1	0
Mora County Sheriff's Office (No Dates Given)	0	0	0	0	0	0
Santa Rosa Police Dept. (No Dates Given)	24	0	0	0	0	0
Total	59	18	0	1	1	0
Percent of Total	75%	23%	0%	1%	1%	0%

Drug Problems in Schools: Major problems are alcohol and marijuana; problem extends into middle schools.

Treatment Facilities Available: La Salida, Las Vegas (methadone)

Resources and Problems

5th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Roswell	40,100	63	6	100
Carlsbad	23,900	29	1	100
Hobbs	28,300	48	9	300
Artesia	11,200	20	1	7-12
Lovington	9,150	17	2	25
Eunice	2,650	3	0	-

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Chaves	40	12	3
Lea	26	17	6
Eddy	3	2	-

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	23	1	315	5

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Roswell Police Dept. (7/1/75-4/30/77)	188	27	10	0	2	0
Artesia Police Dept. (7/1/75-12/31/77)	39	3	0	0	0	0
Lovington Police Dept.	Data provided did not list drug arrests.					
Hobbs Police Dept. (1/1/76-4/30/77)	16	2	0	0	0	0
Carlsbad Police Dept. (7/31/75-6/30/77)	189	2	6	1	0	3
Lea County Sheriff's Office (7/1/76-4/30/77)	16	2	0	0	0	0
Eddy County Sheriff's Office (No Dates)	50	0	0	0	0	0
Total	498	36	16	1	2	0
Percent of Total	90%	6%	3%	1%	1%	0%

Drug Problems in Schools: Major problems are alcohol and marijuana. Some solvent abuse in Roswell and Hobbs. Pep pill abuse in Lovington. Drug abuse considered a problem in mid-schools by Roswell officials.

Treatment Facilities Available: Vencedor, Carlsbad (methadone)
Esperanza, Hobbs (methadone)
Lea County Crisis Center, Hobbs (soft drug)
Chaves County Drug Abuse Center (soft drug)
Teen Challenge, Roswell (drug-free)

Resources and Problems

6th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Silver City	9,500	24	1	10-25
Deming	9,400	18	0	
Lordsburg	3,900	8	0	

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Grant	5	1	0
Luna	0	0	0
Hidalgo		0	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	1	0	40	3

Drug Arrests Agency Reporting	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Lordsburg Police Dept. (1/1/77-12/31/77)	7	0	0	0	0	0
Deming Police Dept. (1/1/75-12/31/76)	8	0	0	0	0	0
Silver City Police Dept. (1/1/75-7/31/76)	39	12	2	0	0	0
Total	54	12	2	0	0	0
Percent of Total	79%	18%	3%	0%	0%	0%

Drug Problems in Schools: Drugs not considered a problem in Deming schools.
Alcohol and marijuana are major drugs of abuse in Silver City

Treatment Facilities Available: Southwest Mental Health Center, Silver City (soft drugs)

Resources and Problems

7th Judicial District

Major Cities	1974 Population	Size of Police Dept.	Number of Trained Drug Officers	Estimated No. Heroin Addicts
Socorro	5,875	10	0	10
Truth or Consequences	5,675	13	1	10
Estancia	921	3	0	0
Mountainair	1,000	2	0	0

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Over 15%
Socorro	0	0	0
Sierra	0	0	0
Torrance	0	0	0
Catron	0	0	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	0	0	40	No Data

7th Judicial District (continued)

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Estancia Police Dept. (7/1/75-2/28/77)	2	0	0	0	0	0
Truth or Consequences Police Dept. (7/1/75-12/31/76)	46	0	4	0	0	2
Socorro Sheriff's Office (No Dates Given)	7	1	0	0	0	6
Reserve Sheriff's Office (No Dates Given)	21	0	0	0	0	0
Torrance County Sheriff's Office (7/1/75-2/28/77)	3	0	0	0	0	0
Total	79	1	4	0	0	8
Percent of Total	86%	1%	4%	0%	0%	9%

Drug Problems in Schools: Alcohol and marijuana are most abused drugs with dangerous drugs considered a problem in Truth or Consequences and Socorro. Problems center mostly in high schools.

Treatment Facilities Available: None.

Resources and Problems

8th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Raton	7,700	14	0	15
Taos	3,050	13	0	12-15
Clayton	3,050	6	0	2

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Taos	0	0	0
Colfax	0	0	0
Union	0	0	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	0	0	44	0

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Clayton Police Dept. (No Dates Given)	4	0	0	0	0	0
Raton Police Dept.	Data provided does not list drug arrests.					
Taos Police Dept. (1/1/75-7/31/77)	18	0	0	0	0	0
Red River (No Dates Given)	22	0	0	0	0	0
Taos County Sheriff's Office (1/1/77-7/31/77)	No arrest figures given. Six search warrants issued during period for both marijuana and hard drugs.					
Union County Sheriff's Office (1/1/75-12/31/75)	6	2	0	0	0	1
Total	50	2	0	0	0	1
Percent of Total	94%	4%	0%	0%	0%	2%

Drug Problems in Schools: Cocaine reportedly used in Raton schools. Alcohol and marijuana use considered as high as 40% in Raton high schools. Alcohol and marijuana use extends into middle schools.

Treatment Facilities Available: None

Resources and Problems

9th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Clovis	33,100	41	2	15-25
Portales	11,000	18	1	30

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Over 15%
Curry	3	1	0
Roosevelt	0	0	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin, Emergencies
	0	0	133	1

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Clovis Police Dept. (1/1/75-12/31/76)	671	34	43	0	0	82
Portales Police Dept. (7/1/75-4/30/77)	100	3	3	0	0	0
Total	771	37	46	0	0	82
Percent of Total	83%	4%	5%	0%	0%	8%

Drug Problems in Schools: Alcohol, marijuana, solvents and dangerous drugs are problems in Clovis schools with problems extending to middle schools. Alcohol and marijuana considered problems in Portales schools.

Treatment Facilities Available: Eastern New Mexico Resource Center, Portales (soft drug)
Eastern New Mexico Resource Center, Clovis (soft drug)
Mental Health Resources, Inc., Portales (soft drug)

Resources and Problems

10th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Tucumcari	7,850	22	2	50-100
Fort Sumner	1,675	2	0	1

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Over 15%
Quay	3	1	0
Harding	0	0	0
DeBaca	0	0	0

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	2	0	48	0

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Tucumcari Police Dept. (7/1/75-4/30/77)	600	0	0	0	0	0
Harding County Sheriff's Office (No Dates Given)	0	0	0	0	0	0
Total	600	0	0	0	0	0
Percent of Total	100%	0%	0%	0%	0%	0%

Drug Problems in Schools: Alcohol and marijuana problems in Tucumcari and Fort Sumner high schools.

Treatment Facilities Available: Eastern New Mexico Resource Center, Tucumcari (soft drug)

Resources and Problems

11th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Farmington	27,300	65	1	12-100
Gallup	15,300	37	4	10-15
Aztec	5,550	9	1	0
Bloomfield	2,100	3	0	0

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
San Juan	3	0	0
McKinley	4	2	0

*National purity average in 9/76.

Hospital Data	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	0	1	no data	no data

Drug Arrests Agency Reporting	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Farmington Police Dept. (7/1/76-12/31/77)	146	0	14	0	0	0
Aztec Police Dept. (7/1/75-6/30/77)	33	0	0	0	0	7
McKinley County Sheriff's Office (No Dates Given)	5	0	0	0	5	0
Total	188	0	19	0	5	6
Percent of Total	86%	0%	9%	0%	2%	3%

Drug Problems in Schools: Alcohol major concern in Gallup schools. Marijuana, alcohol, cocaine and some dangerous drugs reported in Farmington schools.

Treatment Facilities Available: Ford Canyon Youth Center, Gallup (soft drug)
San Juan Mental Health Center, Farmington (soft drug)

Resources and Problems

12th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Alamogordo	25,400	34	2	80-160
Ruidoso	4,000	12	1	35
Tularosa	3,175	5	0	0

Heroin Purity 1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Otero	6	5	3
Lincoln	1	1	0

*National purity average in 9/76.

Hospital Data By J.D.	Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies
	4	2	108	9

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Alamogordo Police Dept. (7/1/75-12/31/76)	115	26	28	0	4	0
Ruidoso Police Dept. (7/1/75-1/31/77)	0	0	0	0	0	115*
Tularosa Police Dept. (No Dates Given)	3	2	1	0	0	0
Total	118	28	29	0	4	115
Percent of Total	41%	9%	10%	0%	1%	39%

*Listed by Ruidoso Police Dept. as Controlled Substance.

Drug Problems in Schools: Alcohol and marijuana in high schools

Treatment Facilities Available: Otero County Mental Health Clinic (methadone)

Resources and Problems

13th Judicial District

Major Cities	1974 Population	Size of Police Dept.	No. of Trained Drug Officers	Estimated No. Heroin Addicts
Grants	8,300	15	1	100
Belen	5,450	8	0	no data
Bernalillo	2,775	5	1	no data

Heroin Purity

1/76-6/77 By County	No. of Samples Tested	No. of Samples Above 5.1%*	No. of Samples Above 15%
Sandoval	0	0	0
Valencia	15	3	0

*National purity average in 9/76.

Hospital Data

Needle Hepatitis Cases	OD Deaths	Total Drug Emergencies	No. of Opiate (Heroin) Emergencies

NO DATA PROVIDED

13th Judicial District (continued)

Drug Arrests Agency Reporting:	Marijuana	Heroin	Dangerous Drugs	Cocaine	Hallucinogens	Others
Grants	No data provided					
Belen	Data provided did not list drug arrests.					
Bernalillo Police Dept. (1/1/76-12/31/76)	2	0	0	0	0	0
Total	2	0		0	0	0
Percent of Total	100%	0	0	0	0	0

Drug Problems in Schools: Marijuana, alcohol, dangerous drugs are problems in Grants H.S. Belen reports cases of cocaine, heroin, solvent and dangerous drug use. Problem extends to mid-schools

Treatment Facilities Available: None

CONTINUED

1 OF 2

APPENDIX TO CHAPTER FIVE

A PROPOSAL FOR THE ESTABLISHMENT OF A STATEWIDE DRUG ENFORCEMENT COORDINATING COUNCIL (DECC) AND A STATEWIDE DRUG INTELLIGENCE INFORMATION NETWORK (DIIN).

The Governor's Organized Crime Prevention Commission recommends legislation and funding of a Drug Enforcement Coordinating Council (DECC) comprised of the best trained and experienced law enforcement officers in the area of drug enforcement at every level and jurisdiction; district attorneys or their assistants experienced in drug enforcement; and members of any statewide agencies with drug enforcement and drug intelligence experience to make up a 13-member council (See Figure 1.). This council will establish drug law enforcement priorities and develop a statewide plan for drug enforcement. In addition, this council would oversee a statewide Drug Intelligence Information Network (DIIN) and would advise a coordinated statewide drug Strike Force.

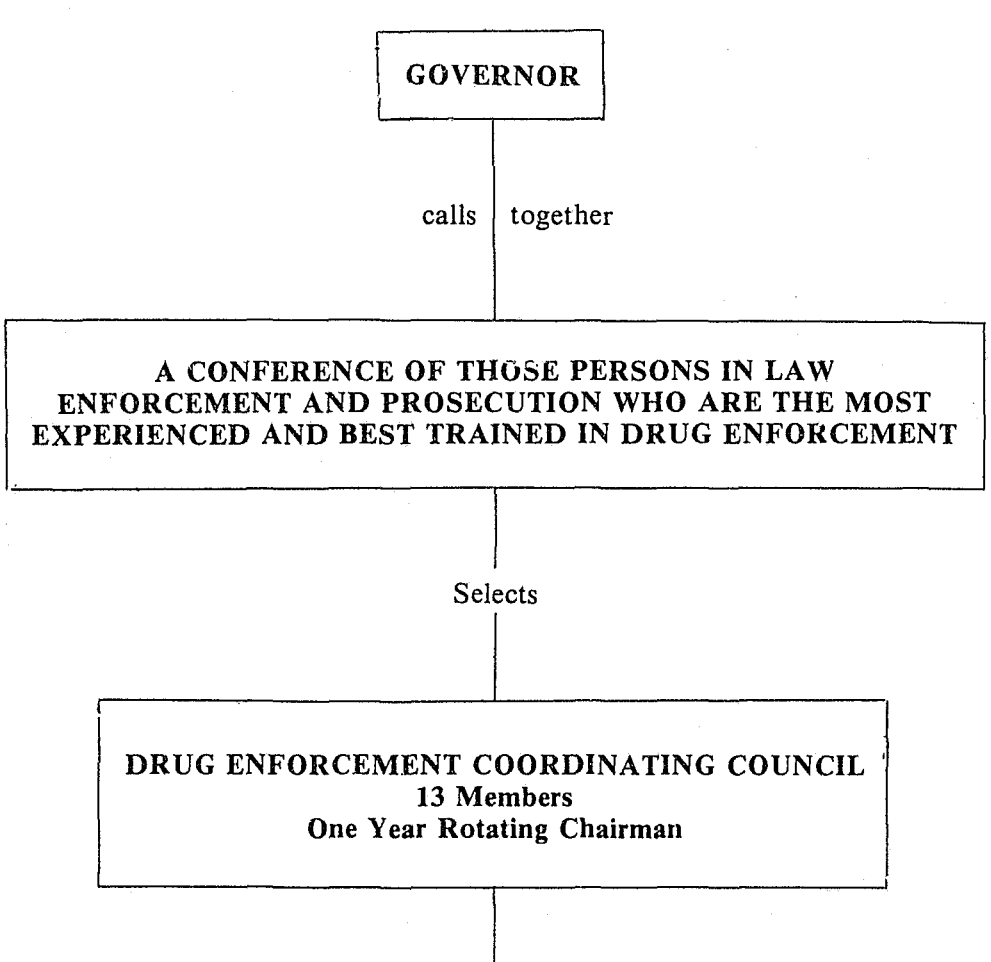
The immediate advantages of such a council are:

1. This council would work to improve levels of trust and cooperation at every level of law enforcement throughout the state.
2. It offers a mechanism for overseeing drug enforcement priority and strategy planning.
3. It provides an ongoing reporting mechanism to apprise the legislature and the Governor of needs and priorities in law enforcement.
4. It offers opportunities for coordination with the Quad State Strike Force.

To guarantee an adequate geographical distribution, law enforcement zones based on geographic area and drug "hot spots" could be established to guide the selection to the DECC. Given the information from our hearings, this would not be too difficult a task.

This group, once formed, would meet monthly at various locations in the state to develop by-laws, establish priorities, create a statewide drug enforcement plan, provide advise on the allocation of drug enforcement resources, and oversee the DIIN.

FIGURE 1.



—establishes statewide drug enforcement priorities
—develops a statewide drug enforcement plan
—identifies drug trafficking "hot spots"
—reports on the allocation and use of drug enforcement resources throughout the state
—coordinates and assists in drug enforcement operations upon the request of local agencies

The DECC is but a first step in establishing an overall statewide system of planning and priorities in the area of drug trafficking. In time we would envision the etablishment of a full-fledged drug intelligence and strike force capability.

In order to bring such a system closer to reality and to provide a point of discussion for the DECC and others working in the criminal justice area, we present the following model of a DIIN system for New Mexico (see Figure 2) and a functional model (see Figure 3) of how this DIIN system would be coordinated with the DECC and with any strike force capability.

In establishing this model we have attempted to work in broader functional responsibilities as well as to provide for integration with the Quad State project and its funding opportunities. The DECC is the essential first step; the DIIN system, in coordination with the DECC, the second. In time, coordination of these two with an interagency (as needed) strike force, detailed from various state and local agencies, would bring all of the key aspects of a statewide plan into coordination for bringing to justice the major drug traffickers and financiers in the state.

Following these two schematics, we set out the functions and responsibilities of each of the various components of this model.

A. Justification for a Drug Enforcement Coordinating Council and the Establishment of a New Mexico Drug Intelligence Information Network.

Before presenting an organizational design, it is important that the non-law-enforcement reader be fully aware of some important background information about the structure, tradition and organization of law enforcement intelligence operations. This will better enable the reader to understand the justification behind any particular system or model.

FIGURE 2.

ORGANIZATIONAL DESIGN

NEW MEXICO DRUG INTELLIGENCE
INFORMATION NETWORK

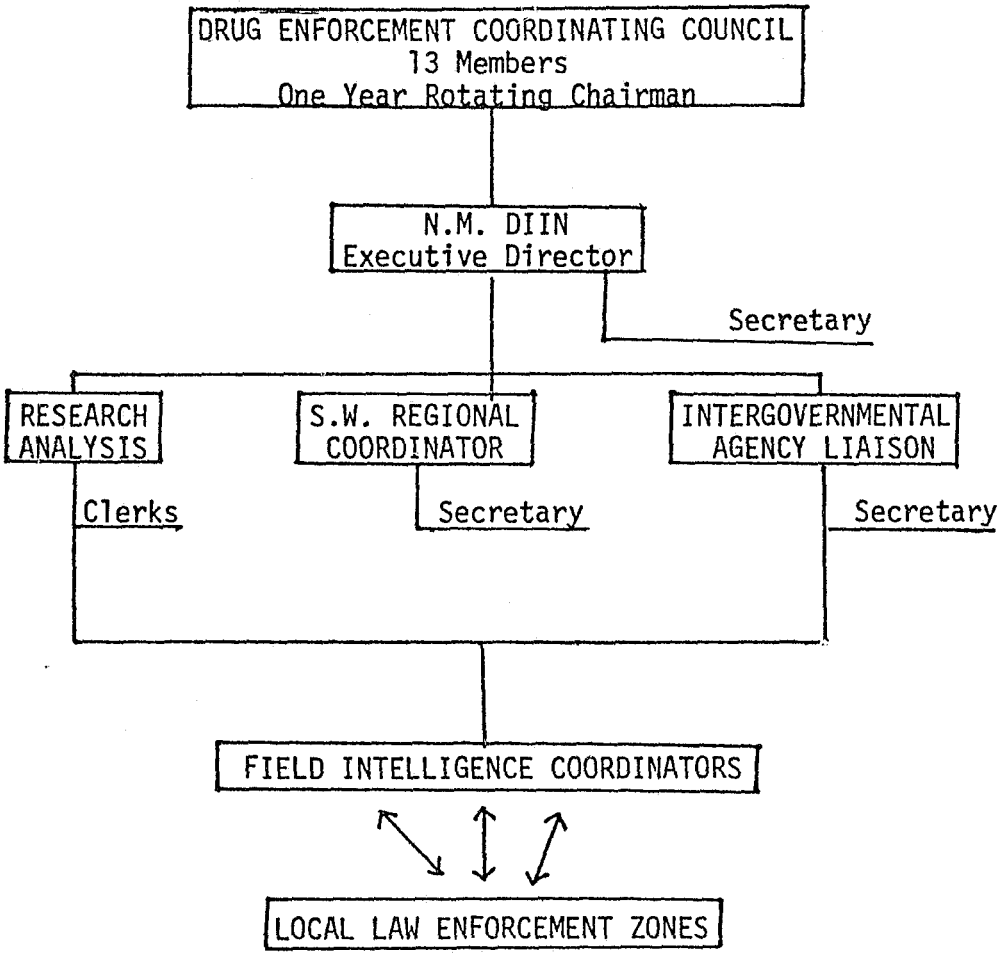
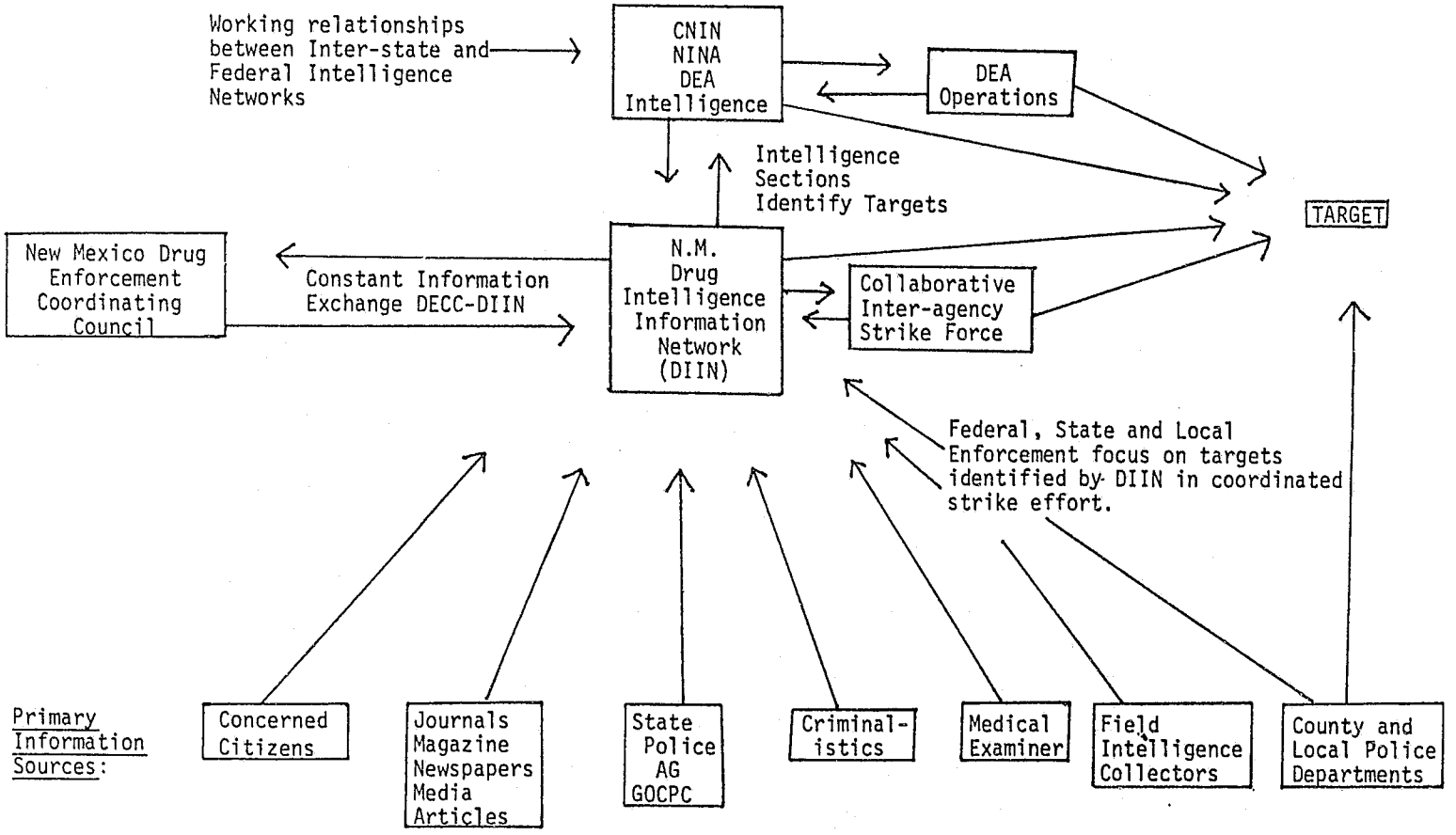


FIGURE 3

FUNCTIONAL MODEL OF DIIN SYSTEM



First, the traditional structure and operation of law enforcement intelligence systems has tended to produce and reinforce rivalries between different jurisdictions and agencies. Rivalries between the Federal Bureau of Investigation and Central Intelligence Agency, Drug Enforcement Administration and state and local police, even between a fictional Sherlock Holmes and Scotland Yard, are too well documented to be ignored. The first organizational need of any intelligence system that is to serve a statewide jurisdictional purpose is that potential for inter-jurisdictional rivalries be minimized. This means that, in establishing any system, the "line" personnel—"the troops in the field"—must know that this is their organization. They must know that they have a key role in its organization, and that they all share as equals in its operation.

Second, experience dictates that there is no workable substitute for personal contacts to expedite the free flow of intelligence, particularly in as sensitive an area as drug trafficking. Personal contacts create trust built on proven association. These are the keystones of law enforcement intelligence systems. Any system that is to operate effectively must be built on a foundation of experience and qualified law enforcement personnel who know their subject matter and each other.

Third, law enforcement intelligence is built from the "street"up. No pundit on high can create raw intelligence data; it must be gathered in the streets of communities throughout the state. Well-trained collectors who understand the problems, capabilities and needs of local law enforcement agencies and can establish regularized two-way channels of communication and trust are essential to the success of the system.

Fourth, given the mobility of drug traffickers from one area, state or country to another, it is important that any intelligence system be coordinated with other states and other levels and jurisdictions.

Recognizing these basic elements as essential to an effective law enforcement intelligence network, as well as the problems of current fragmentation of intelligence among agencies and jurisdictions, we feel there is a need to establish a statewide New Mexico Drug Intelligence Information Network (DIIN).

While the New Mexico State Police and local law enforcement agencies have made tremendous strides forward in recent years, a coordinated statewide intelligence system requires the trust, cooperation, and active participation of every major law enforcement agency in the state. The collaborative multijurisdictional effort would, we believe, enhance the capabilities of every law enforcement organization in the state, and build increased cooperation among them. The DECC and the DIIN system would, we believe, have the following positive and beneficial effects for all law enforcement in our state.

1. assist the coordination of drug enforcement activities among different law enforcement agencies and jurisidictions;

2. pinpoint trouble areas and drug trafficking "hot spots" and coordinate shifting resources to meet the problem;

3. establish a centralized statewide mechanism for the collection and analysis of all drug related intelligence and information;

4. act as a repository for analysis of intelligence information and provide results to law enforcement agencies in the field;

5. provide leadership for coordination among intelligence agencies and reduce duplication of effort;

6. develop ties and coordinate activities among different states in our region and federal agencies and provide a two-way information exchange with them;

7. facilitate intelligence sharing between agencies through example and by functioning as a central repository;

8. provide training and resources for the development of local capabilities in intelligence collection, analysis and storage;

9. report on the resources allocated to drug enforcement in New Mexico and the accomplishments of state and local drug enforcement;

10. recommend needed legislation to the Governor and the legislature.

B. Implementation

We believe that a Drug Enforcement Coordinating Council (DECC) can be established at relatively little cost or effort. The law enforcement community and the drug enforcement and drug intelligence community within it are small and well known to one another. Similarly, those prosecutors, district attorneys and their assistants who have experience in assisting police agencies in drug enforcement and trial work are also relatively few in number and known within the legal community.

We recommend that the Governor call a meeting of these law enforcement officers to choose thirteen (13) experienced and respected drug enforcement officers in the state to serve as the DECC.

This group in turn would select from among its number a chairman to serve for one year. After this, the chairmanship would rotate among the members, who would also alternate in service.

DRUG INTELLIGENCE INFORMATION NETWORK (DIIN)

Design Components

1. The Drug Enforcement Coordinating Council (DECC)

First, for reasons stated in the justification section, we feel that law enforcement must know that any intelligence system that is established belongs to them. It is to aid and assist them, and must be responsible to them. We therefore would have the DECC selected by members of the law enforcement community themselves. They, perhaps better than anyone, know the areas that need attention, and the men who have the experience and expertise in the area of drug enforcement to best oversee the operation of an intelligence system, and coordinate its functions with their agencies. In addition to making sure there was adequate geographical representation, those jurisdictions which are trafficking "hot spots" and those law enforcement officers from those agencies or multijurisdictional agencies having the best training and the most drug enforcement and drug intelligence experience should be selected for the DECC. In addition, those members of the legal community (the Attorney General's Office, and local District Attorneys or their staffs), who have prosecutorial activities aimed at the arrest and conviction of major traffickers, should also be represented.

a. Responsibilities and functions

The DECC would be responsible for the establishment and supervision of the DIIN system. It would screen and hire the Executive Director, and work with him on coordinating intelligence and strike force activities directed toward major traffickers. It would also coordinate activities with individual agencies and departments and seek to establish mechanisms for cooperation and participation for their agencies within the DIIN system. To these ends, the Council would have to interact on a frequent and regular basis, at least monthly, with the Executive Director and each other.

2. Executive Director

a. Selection

The DIIN Executive Director would be hired by the DECC to run the day-to-day operations of the DIIN system. He would be selected from a state, local, or multi-jurisdictional agency and detailed to be responsible for the system. His selection would be based on his qualifications, past performance and experience in intelligence gathering and analysis, as well as his leadership and respect among the law enforcement community in the area of drug enforcement and drug intelligence. If someone from within the state could not be found, or detailed from his agency to the DIIN system, then, perhaps by using the Intergovernmental Personnel Act Executive Loan Program, someone with experience and expertise in drug intelligence and drug enforcement at the federal level could be found to oversee the system.

b. Responsibilities

The Executive Director would be responsible to the DECC for hiring DIIN staff, overseeing day-to-day operations and, in coordination with the DECC, establishing priorities and targets for investigation. He would have responsibility for and supervision over the collection, analysis, and retention of intelligence data. He would also report periodically to the legislative and executive branches on the needs and performance of the DIIN and the state's drug enforcement in general.

3. Regional Coordinator

a. Selection

The Regional Coordinator would be selected by the Executive Director with the advice and consent of the DECC.

b. Responsibilities

The Regional Coordinator would be responsible for the coordination of the DIIN system with other drug intelligence gathering agencies in the Southwest. These would include the CNIN system in California; the NINA system in Arizona; the narcotics task force of the Colorado Organized Crime Strike Force; the Texas Department of Public Safety Intelligence Section; and the EPIC system run by the Department of Justice. By coordinating New Mexico DIIN activities with these agencies and a mutual sharing of intelligence with them, long-range targeting of major regional traffickers as well as coordination on interstate targets of opportunity could be achieved.

4. Intergovernmental Agency Liaison (IAL)

a. Selection

The IAL would be selected by the New Mexico DIIN Executive Director with the advice and consent of the DECC.

b. Responsibilities

In conjunction with the Executive Director, the IAL would oversee the daily operations of the Field Intelligence Coordinators. Where the regional coordinator's duties are interstate, the IAL's functions would be intrastate. He would work with federal, state and local law enforcement agencies developing cooperation working on problems of mutual concern, developing new DIIN access points with federal, state and local law enforcement, and settling any problems or jurisdictional or coordination difficulties that may arise.

5. Research Analysis and Intelligence Analysts and Clerks

a. Selection

Initially the selection of a Research Analyst could be made in collaboration with the Quad State project, as

this project will fund a Research Analyst in New Mexico for a period of ten months. In the ideal model this analyst and two clerks would be selected by the Executive Director with the advice and consent of the DECC.

b. Responsibilities

The Research Analyst would oversee the activities of his staff and would be responsible for intelligence analysis of all raw information coming to the New Mexico DIIN system. The Research Analyst is, in many ways, the keystone of any intelligence information system. He is responsible for the development of link-analysis—the structural skeleton of organized trafficking conspiracies—as well as financial analysis of the dollar flows among members of such conspiracies. Directing field coordinators to new points of information as well as receiving daily intelligence summaries from them is a basic part of his responsibility. In time the Research Analyst or additional analysts that are hired would be responsible for the computerization and computer cross-indexing of the DIIN system, once such sophistication is warranted.

6. Field Intelligence Coordinators

a. Selection

Selection would be by the Executive Director with the advice and consent of the DECC.

b. Responsibilities

The backbone of any intelligence network consists of its field intelligence collection system. The intelligence coordinators are thus the nerve ends of the entire system. They not only must be trained and experienced investigators, they must be capable of assessing local needs and capabilities without intruding on the local law enforcement system. Most importantly, they must have the ability to create and stimulate trust while establishing and expanding two-way communications with the local agencies. In collaboration with the DECC members, the field coordinators must establish contact points in local communities throughout the state to assist in creating intelligence information nets for the input of raw data into the system. As one can see from the functional chart of the DIIN system, they are not the only input mechanisms but they are the key ones.

7. Repository

Because of its statewide jurisdiction, its communications and computer capabilities, its ongoing drug and intelligence capacity, as well as the physical and internal security available at its headquarters, we recommend that the New Mexico State Police headquarters serve as the physical location and repository for the DIIN system.

8. Financing the New Mexico NIIN

Given the start of the Quad State Project and the funds available through it for certain components of the DIIN system as well as a good deal of communications hardware, we believe this is a propitious moment to begin

discussing the establishment of the overall system. We see several alternative systems of funding different aspects of the system. First, staff could be detailed from existing agencies and local law enforcement units to participate in the system. The Colorado Organized Crime Strike Force operates by having participating agencies detail and pay for manpower assigned to the Colorado Organized Crime Strike Force. In return, the local agency not only receives information and participates more fully in the operation of the agency; their personnel receive important on-the-job training within it. Second, the legislature, in funding new staff appointments to on-going agencies, could make these appointments conditional upon the staff being used within the DIIN system. Third, the Intergovernmental Personnel Act Executive Loan Program might be used to get experienced federal drug intelligence personnel assigned to the DIIN system. Fourth, the legislature could recognize the need for such a system in combating major drug traffickers and drug financiers and appropriate all or a fair share of the monies necessary for the establishment of New Mexico DIIN.

9. Federal Funding Opportunities

We recommend that the Criminal Justice Department look into the possibilities of federal funding or matching grants for the New Mexico DIIN project.

10. Outside Consultation

As other states have established statewide drug intelligence information systems, we recommend that, in order to avoid repetition of their errors and to increase understanding of any dilemmas in implementation, funds be provided to bring in a consultant from another state should the establishment of a DIIN system be undertaken.

NOTES

1. *El Paso Times*, December 8, 1977.
2. Mr. Robert Kessler, Supervisor, U.S. Customs Air Support Unit, Albuquerque hearings, September 9, 1976.
3. Private communication by Robert Kessler, April 6, 1978.
4. *Albuquerque Journal*, March 26, 1978.
5. James Blackmer, Assistant District Attorney, 2nd Judicial District, Albuquerque Hearings, January 17, 1978.
6. New Mexico State Police, Narcotics Division Statistical Report 1977.
7. New Mexico State Police, Internal Communication, July 23, 1975.
8. Albuquerque *Tribune*, March 14, 1978.
9. Don Procumier, Captain, Narcotics Division Commander, Arizona Department of Public Safety, Deming hearing, November 12, 1976.
10. Sgt. Neil Curran, Narcotics Division, New Mexico State Police, Santa Fe hearings, October 28, 1977.
11. New Mexico State Police Statistical Report, *Op. Cit.* 1977.
12. Sgt. Richard Moore, Las Cruces Metro Narcotics Agency, Las Cruces hearings, January 31, 1977.
13. Solomon Luna, New Mexico State Police, Narcotics Division, Taos hearings, August 28, 1977.
14. District Attorney Robert Doughty, 12th Judicial District, Alamogordo hearings, February 14, 1977.
15. District Attorney Joseph Caldwell, 8th Judicial District, Taos hearings, August 26, 1977.
16. See Terry Grimbel, Director, Arizona Drug Control District Narcotics Strike Force, Deming hearing, November 12, 1976.
17. New Mexico State Police Laboratory Statistics collected and analyzed by Commission staff in 1976-77.
18. Department of Hospitals and Institutions, *First Annual Report: 1977-1978 State Plan.* (Santa Fe, New Mexico, 1977).
19. See Gerry Swanson, Director, Treatment Alternatives to Street Crime, Albuquerque hearings, January 18, 1978.
20. E.g., Dr. Jose Castillo, Medical Director, La Llave Drug Treatment Center, Albuquerque hearings, January 18, 1978.

CHAPTER 6

RECOMMENDATIONS

A. FROM CHAPTER 1:

The Criminal Justice Department should observe and evaluate southbound border checkpoints that may be established in California. If they are found to be successful, the legislature should approve legislation and funding for similar checkpoints in New Mexico.

The Attorney General should seek agreements with Indian tribal governments to assist in prosecuting the use of tribal lands as drug drop or landing sites.

B. FROM CHAPTER 2:

The legislature should amend Section 54-11-25 of the New Mexico Statutes so that it is illegal not only to obtain controlled substances by fraud or forgery, but also to attempt to obtain controlled substances by such practices.

In order to limit the use of abused solvents, a foul smelling obnoxious chemical should be added to commonly abused non-aerosol solvents retailed in New Mexico. If this step is not taken voluntarily by manufacturers, legislation requiring such additives should be adopted by the legislature.

C. FROM CHAPTER 3:

The Criminal Justice Department (CJD) should prepare standardized forms in collaboration with the Health and Environment Department (HED) and drug intelligence analysts, for the regular reporting of drug purchases and seizures, including quantity, purity, price and level of sale. In addition, HED should develop a form for doctors, emergency rooms and hospitals so that information on hepatitis, drug emergencies and drug overdose deaths can be tabulated systematically for all areas of the state.

Police departments with facilities for the analysis of heroin purity should analyze all incoming samples and transmit such data on a regular basis to the CJD.

The CJD and the HED should develop a mechanism through which the names of drug addicts who are arrested can be compared with lists of addicts in treatment for the purpose of estimating, on a regular basis, the number of drug addicts statewide. This must be done in a manner which will preserve client rights and confidentiality.

D. FROM CHAPTER 5:

Congress should mandate cooperation and management coordination among those federal agencies responsible for border enforcement and require sufficient compatibility in their technical and communications equipment so that they may assist one another in the field.

Congress should mandate that the Department of Defense provide manpower support as well as aircraft and other equipment to federal and state law enforcement to check border incursions by air smugglers.

The U.S. Customs resources of men, equipment and money along the Mexican border in Texas and New Mexico should be greatly strengthened and not reassigned to other areas of the country.

The Federal government should provide sufficient continuing funds to operate a drug intelligence network involving all law enforcement agencies in New Mexico.

The State Police should create a Service Unit in its Narcotics Division to respond to local requests for drug enforcement.

The State Police should create a Major Offenders Unit in its Narcotics Division to pursue targets established by state police priorities. Given the extent of major trafficking in New Mexico, this Unit should be composed of two-thirds of the Narcotics Division agents.

The legislature should appropriate at least $150,000 per year to a Major Offenders Unit of the State Police Narcotics Division for "buy money," incentive pay, and extraordinary per diem expenses.

Every law enforcement agency with a jurisdiction including a community of 5,000 or more persons should have at least one officer with specialized training in drug enforcement, who is assigned to drug investigations.

Local law enforcement agencies should cooperate fully in the exchange of trained drug officers for undercover work in each other's communities.

When contract undercover agents are used in drug investigations, the supervising law enforcement officers should make thorough background checks on the agent, use body tape recorders to corroborate the agent whenever possible, and work closely with prosecutors to avoid problems such as entrapment.

The Criminal Justice Department should provide standardized forms for drug arrests which state the agency of the arresting officer, whether the officer is uniformed or a detective or drug agent, the exact criminal charge, and the quantity of drugs seized. The state police should also develop standards for measuring the scale of drug trafficking in which the offender is involved.

The Governor should convene a meeting of representatives of state and local law enforcement agencies to establish a Drug Enforcement Coordinating Council and Drug Intelligence Information Network.

The legislature should appropriate the funds necessary for DECC and DIIN.

The legislature should provide funds for the specialized personnel and other resources necessary for the investigation and prosecution of drug financiers. Allocation of these resources should be pursuant to recommendations of the Drug Enforcement Coordinating Council.

The next meeting of the state judiciary should include discussions with prosecutors and law enforcement

personnel on the nature of drug trafficking in New Mexico and the creation of sentencing standards in drug cases to encourage greater uniformity in the treatment of offenders.

Probation and law enforcement officers should devote special attention to pre-sentence investigations of drug offenders to distinguish upper echelon from lower echelon dealers.

Careful planning should go into the development of any new medium or minimum security facilities to prevent drug smuggling and to assure that they remain as drug-free as possible.

The Health and Environment Department (HED), in cooperation with the treatment community should continue to develop more meaningful measures of the effectiveness of treatment programs and treatment agencies, so that more satisfactory evaluations of program success and failure can be made.

Residential treatment facilities in different sections of the state, and cooperative agreements with residential facilities in other areas of the country, should be established so that the addict can escape from the street and break out of the life-style of his home environment.

In light of the need to alter significantly life-style and peer group models, all treatment facilities should be run and directed by trained professionals. Addicts (even drug-free ex-addicts), who have not altered their peer contacts or life-styles, do not appear to serve the best interests of treatment or the elimination of drug dependency and should not be in positions of influence.

Law enforcement personnel engaged in drug enforcement and members of the drug treatment community should meet regularly to discuss mutual problems, including the patterns and trends in drug use in a community and those areas where mutual cooperation and interaction is needed. The Criminal Justice Department and the Health and Environment Department should actively encourage such meetings and act as referees in disputes between local agencies.

Where methadone maintenance is used as a form of treatment, extreme care should be used to guarantee it does not enter the illegal market and become a new drug of abuse. Treatment directors have this responsibility and law enforcement should not hesitate to publicize and crack down on methadone misuse.

APPENDIX A

APPENDIX OF WITNESSES

Ackerman, Dan
Regional Director of Customs Patrol
United States Customs Service
El Paso, Texas

Adams, Vance
Agent, New Mexico State Police
Roswell, New Mexico

Alexander, Michael
Criminal Investigator
District Attorney's Office
13th Judicial District

Anaya, Toney
Attorney General
State of New Mexico

Anderson, W.W.
Station Supervisor
United States Customs Service
El Paso, Texas

Aragon, Manny
Agent, New Mexico State Police
Narcotics Division
Albuquerque, New Mexico

Bailey, Lance
Attorney
Socorro, New Mexico

Baker, Richard
Assistant District Attorney
1st Judicial District

Bartosiweicz, Roger
Lieutenant, Clovis Police Dept.
Clovis, New Mexico

Batho, Tom
Area Supervisor
Probation and Parole
Roswell, New Mexico

Bell, Edward
Chief of Police
Grants Police Dept.
Grants, New Mexico

Benham, Gerald
Counselor, Gallup High School
Gallup, New Mexico

Bensinger, Peter
Administrator, U.S. Drug Enforcement Administration
Washington, D.C.

Benevidez, Andrew
Agent, New Mexico State Police
Narcotics Division
Socorro, New Mexico

Besteman, Karst
Deputy Director
National Institute on Drug Abuse
Washington, D.C.

Bevins, Art
Director, Chaves County
Drug Abuse Program
Roswell, New Mexico

Biamonte, Phillip
District Court Judge
2nd Judicial District

Biford, Harold
Agent, New Mexico State Police
Narcotics Division
Santa Fe, New Mexico

Blackmer, James
Chief of Habitual Criminal Division
Bernalillo County District Attorney's Office
Albuquerque, New Mexico

Blackwell, David
Chief Patrol Agent
El Paso Border Sector
United States Customs Service

Bonem, David
District Attorney
9th Judicial District

Bower, Mike
Officer, Santa Fe Police Dept.
Narcotics Division
Santa Fe, New Mexico

Bowman, Jack
Chief Pilot, Airzona Drug Control
District and Narcotic Strike Force

Brand, Richard
Operations Chief
El Paso Intelligence Center
El Paso, Texas

Bryant, Thomas
National Council on Drug Abuse
Washington, D.C.

Burke, Pat
Assistant Attorney General
State of Colorado

Byrd, James
Chief Probation Officer
Probation and Parole
Roswell, New Mexico

Caldwell, Joseph
District Attorney
8th Judicial District

Carson, Gil
Assistant District Commander
Narcotics Division
New Mexico State Police

Castillo, Jose
Medical Director
La Llave Drug Treatment Center
Albuquerque, New Mexico

Chaney, Kathy
Investigator, First Offender Program
Probation and Parole
Bernalillo County

Charles, Bruce
Assistant District Attorney
7th Judicial District

Chavez, David
Agent, New Mexico State Police
Narcotics Division
Gallup, New Mexico

Chavez, Manuel
Drug Rehabilitation Director,
La Salida Drug Treatment Center
Las Vegas, New Mexico

Chavez, Richard
Lieutenant, Silver City Police Dept.
Silver City, New Mexico

Christie, Richard
Director of Research and Evaluation
Dept. of Hospitals and Institutions
Las Vegas, New Mexico

Clark Buford
Adult Probation and Parole Officer
Framington, New Mexico

Corcoran, George
Assistant Commissioner
in Charge of Investigations
United States Customs Service

Crow, Sam
Assistant Superintendent of Schools
McKinley County

Cunningham, John
Agent, New Mexico State Police
Narcotics Division
Alamogordo, New Mexico

Cupp, Warren
Teacher, Mayfield High School
Las Cruces, New Mexico

Curran, Neil
Sergeant, New Mexico State Police
Narcotics Division
Santa Fe, New Mexico

Dailey, Conner
Executive Director and Chief Inspector
New Mexico State Board of Pharmacy

Defore, Phillip
Principal, Deming High School
Deming, New Mexico

DeJarnett, Ed
Assistant Superintendent of Silver City
Consolidated Schools
Silver City, New Mexico

Dierking, Dennis
Southern District Commander
Narcotics Division
Arizona Dept. of Public Safety

Diffy, Jeff
Deputy, San Juan Sheriff's Office
Aztec, New Mexico

Doughty, Robert
District Attorney
12th Judicial District

Douglas, Eldon
Assistant District Attorney
7th Judicial District

Dow, Ed
Director of Drug Abuse Services
Dept. of Hospitals and Institutions
Las Vegas, New Mexico

Eck, David
Sergeant, Grant County Sheriff's Office
Chief Deputy Medical Examiner
Grant County

Enright, J.R. 'Ray'
Regional Director
United States Drug Enforcement
Administration
Denver, Colorado

Esquibel, Thomas
District Attorney
13th Judicial District

Estrada, Jesus
Probation Officer
Hidalgo County

Featherstone, David
Counselor
Chaves County Drug Abuse Program
Roswell, New Mexico

Flores, Benny
District Attorney
4th Judicial District

Flores, Ernesto
Special Agent
Arizona Dept. of Public Savety
Border Counties Narcotic
Strike Force

Floyd, Harold
Principal, Las Cruces High School
Las Cruces, New Mexico

Foster, Jerry
Chief Deputy Sheriff, Lincoln County
Special Investigator
District Attorney's Office
12th Judicial District

Franchini, Gene
District Court Judge
2nd Judicial District

Garcia, John
Captain, Raton Police Dept.
Raton, New Mexico

Garcia, Sam
Agent, New Mexico State Police
Narcotics Division
Carlsbad, New Mexico

Gardenhire, Robert
Attorney, New Mexico State Police
Santa Fe, New Mexico

Girard, Dan
Law Enforcement Coordinator
Region 8
State of New Mexico

Gonzales, Manuel
Director of Public Safety
Gallup, New Mexico

Goodall, James
Officer, Grants Police Dept.
Grants, New Mexico

Griffin, Jerry
Area Supervisor
Probation and Parole
Santa Fe, New Mexico

Griffith, Joseph
Sheriff
Sierra County

Grimble, Terry
Director, Arizona Drug Control District
Narcotic Strike Force

Hall, Ron
Detective, Silver City Police Dept.
Silver City, New Mexico

Hanson, Clayton 'Whitey'
Lieutenant, Albuquerque Police Dept.
Albuquerque, New Mexico

Hargrave, Joan
Director
Vencedor Drug Abuse Program
Carlsbad, New Mexico

Harrel, Daryl
Albuquerque Public Schools Security
Albuquerque, New Mexico

Hickey, Mike
Director, Drug Abuse Program
Otero County Mental Health Center

Hoover, Donald
Counselor in Charge of Methadone Program
Otero County Mental Health Center

Horton, Dean
Director, Drug Abuse Program
Southwest Mental Health Center
Las Cruces, New Mexico

Houghtalin, Joe
Detective, Alamogordo Dept. of Public Safety
Alamogordo, New Mexico

Hughes, Harry
Chief of Intelligence Bureau
Arizona Drug Control District
Narcotics Strike Force

Hughes, James
Guidance Counselor, Deming Schools
Deming, New Mexico

Hughes, William
District Director, El Paso District
United States Customs Service
El Paso, Texas

Humes, Dr. James
Director, Southwest Mental Health Center
Las Cruces, New Mexico

Humphries, Joel
Detective
Narcotics Strike Force
State of Colorado

Jones, Robert
Adult Probation
Probation and Parole
Bernalillo County

Johnson, Joseph
Planner, Substantive Use Plan
District 7

Kase, Edmund, III
District Court Judge
7th Judicial District

Kessler, Robert
Supervisor in Charge of Air Support
United States Customs Service
El Paso, Texas

Kouba, James
Chief of Police
Tucumcari Police Dept.
Tucumcari, New Mexico

Lara, Louis
Detective, Roswell Police Dept.
Roswell, New Mexico

Lopez, Ralph
Officer
Santa Fe Police Dept.
Santa Fe, New Mexico

Lucero, Joseph
Sergeant, Acting Chief
Taos Police Dept.
Taos, New Mexico

Luna, Saloman
Lieutenant, New Mexico State Police
Narcotics Division
Taos, New Mexico

Lundy, Dan
Lieutenant
Bernalillo County Sheriff's Office
Albuquerque, New Mexico

Mares, Raymond
Agent, Bernalillo County Sheriff's
Office
Albuquerque, New Mexico

Marshall, Paul
Magistrate Judge
7th Judicial District

Martin, Carlos
Probation Officer
Probation and Parole
Grant County

Martinez, Tom
Citizen
Silver City, New Mexico

McCarthy, Fred
Assistant District Attorney
11th Judicial District

Mentzer, Clifton
Regional Director of Investigations
United States Customs Service
Houston, Texas

Miller, Al
Agent, New Mexico State Police
Narcotics Division, Air Detail

Mitchell, Douglas
Juvenile Probation Officer
Probation and Parole
Bernalillo County

Moore, James
Chief of Las Vegas Police Dept.
Las Vegas, New Mexico

Moore, Rick
Sergeant, Metro Narcotics Agency
Las Cruces, New Mexico

Morgan, Dr. Stephen
Past Director of Drug Abuse Services
Dept. of Hospitals and Institutions
Las Vegas, New Mexico

Moriarity, Dan
Adult Probation Officer
Probation and Parole
Bernalillo County

Mortenson, Manuel
Juvenile Probation Officer
Probation and Parole
Bernalillo County

Munos, Serapio
Regional Planner, Drug Abuse Services
New Mexico Planning District 5

Murphy, James
Detective, Hobbs Police Dept.
Hobbs, New Mexico

Onuska, Paul
District Attorney
11th Judicial District

Ortega, Victor
United States District Attorney
State of New Mexico

Pacheco, Joseph
Probation and Parole Officer
Probation and Parole
8th Judicial District

Pasquier, C.L. "Ted"
Reverend, St. Francis Newman Center
Silver City, New Mexico

Payne, H. Vernon
District Court Judge
2nd Judicial District

Paz, Richard
Officer, New Mexico State Police
Narcotics Division

Polson, J.E.
Chief of Police
Lovington, New Mexico

Porter, Mary
Principal, St. Mary's Interparochial Schools
Silver City, New Mexico

Porter, Rose Ann
Director, Lea County Crisis Center
Hobbs, New Mexico

Privetts, Jerry
Officer
Artesia Police Dept.
Artesia, New Mexico

Procunier, Don
Captain, Narcotics Division Commander
Arizona Dept. of Public Safety

Proffer, Bill
Agent in Charge
Albuquerque District Office
Drug Enforcement Administration

Purvines, Gary
Director
Bernalillo County Mental Health Center
Albuquerque, New Mexico

Ramirez, Clarence
Deming School District
Deming, New Mexico

Randall, Doyle
Officer, New Mexico State Police
Farmington, New Mexico

Resnick, Russell
Director
Drug Addiction Rehabilitation Effort (DARE)
Albuquerque, New Mexico

Richards, Jim
Principal, Lordsburg High School
Lordsburg, New Mexico

Ring, C.E.
Sergeant, New Mexico State Police
Narcotics Division

Riordan, William
2nd Judicial District
Albuquerque, New Mexico

Romero, Anthony
Assistant, Cobre School System

Romero, Lawrence
Sheriff, Valencia County
Los Lunas, New Mexico

Romero, Ralph
Deputy, Lincoln County Sheriff's Office
Carrizozo, New Mexico

Rosenstein, Jack
Director
Drug Enforcement Administration Laboratory
Dallas, Texas

Runyon, Norman
District Attorney
10th Judicial District

Rutz, Margaret
Curriculum Consultant
New Mexico Dept. of Education

Ryan, Thomas Sr.
Chief of Police
Silver City, New Mexico

Ryther, David
Director
Drug Abuse Education and Coordination Center
Albuquerque, New Mexico

Salazar, Johnny
Port Director
United States Customs Service
Columbus, New Mexico

Salcido, Mrs. John
Juvenile Probation Officer
Probation and Parole
Grant County

Sandoval, Matt
Las Vegas Police Dept.
Las Vegas, New Mexico

Santillanes, David
Chairman, Bernalillo County Commission
Albuquerque, New Mexico

Sawyer, Regina
Magistrate Court Judge
7th Judicial District

Serna, E.C.
District Attorney
6th Judicial District

Slater, Steve
Criminal Justice Regional Planner
Region 5

Smith, Charles
Officer, New Mexico State Police
Farmington, New Mexico

Smith, Claude
Agent in Charge of Investigations
United States Customs Service
Albuquerque, New Mexico

Smith, Dean
Agent, New Mexico State Police
Narcotics Division
Clovis, New Mexico

Smith, Fred
Assistant District Attorney
11th Judicial District

Standard, Larry
Captain, Valencia County Sheriff's Office
Los Lunas, New Mexico

Stiles, Hugh
Criminal Investigator
Ruidoso Police Dept.
Ruidoso, New Mexico

Stroup, Keith
National Director
National Organization for the Reform of Marijuana Laws (NORML)

Sumega, Harry
Assistant Agent in Charge
Albuquerque District Office
Drug Enforcement Administration
Albuquerque, New Mexico

Summers, Stewart
Supervising Chemist
Drug Enforcement Administration Laboratory
Dallas, Texas

Swanson, Gerry
Director
Treatment Alternatives To Street Crime (TASC)
Albuquerque, New Mexico

Tapia, Sam
Assistant Principal
Cobre School System

Tarazon, Mike
Probation Officer
Probation and Parole
Luna County

Terrazas, Manuel
Counselor, Deming Schools
Deming, New Mexico

Thompson, David
Assistant Principal
Las Cruces High School
Las Cruces, New Mexico

Thompson, J.M.
Line Supervisor
United States Customs Service
El Paso, Texas

Thompson, Robert
Commander, Narcotics Division
New Mexico State Police
Santa Fe, New Mexico

Timilty, Chuck
Agent, Drug Enforcement Agency
Albuquerque, New Mexico

Torres, Luis
Detective
Valencia County Sheriff's Office
Los Lunas, New Mexico

Trujillo, Ted
Port Director
United States Customs Service
Albuquerque International Airport
Albuquerque, New Mexico

Tully, John
Sergeant, Carlsbad Police Dept.
Carlsbad, New Mexico

VanPelt, Raymond
Principal, Mayfield High School
Las Cruces, New Mexico

Vidaurre, Albert
Agent in Charge of Investigation
Taos Police Dept.
Taos, New Mexico

Villegas, Frank
Assistant Chief of Police
Deming, New Mexico

Wachtel, David
Director of the Criminal Justice and Police Training Academy
Western New Mexico University
Silver City, New Mexico

Waggoner, Claron
District Attorney
7th Judicial District

Walker, Ron
Officer, Portales Police Dept.
Portales, New Mexico

Watson, Donald
Chief of Police
Truth or Consequences, New Mexico

Watson, Phillip
Agent, New Mexico State Police
Narcotics Division
Raton, New Mexico

Watts, Robert
Lieutenant, Hobbs Police Dept.
Hobbs, New Mexico

Wellborn, Robert
Officer, New Mexico State Police
Quemado, New Mexico

Weston, James, M.D.
Chief Medical Examiner
State of New Mexico

Williams, Jean
Magistrate Court Judge
7th Judicial District

Williams, Totsie
Magistrate Court Judge
7th Judicial District

APPENDIX B

Schools Responding to Questionnaire

Alamogordo
Alamogordo Public Schools
Alamogordo Senior High School
Holloman Jr. High School
Chaparral Jr. High School
Mid High School
Father James B. Hay School

Albuquerque
Cibola High School
Valley High School
Adams Middle School
Grant Middle School
Jackson Jr. High School
Jefferson Middle School
Truman Middle School
Madison Middle School
Annunciation School
Eisenhower Middle School

Animas
Animas School District

Anthony
Gadsden Public Schools

Artesia
Artesia High School
Park Jr. High School
Zia Intermediate School

Belen
Belen Consolidated Schools

Bernalillo Public Schools

Bloomfield
Bloomfiled High School
Mesa Alta Jr. High School

Capitan
Capitan Municipal Schools

Carlsbad
Carlsbad Municipal Schools

Carrizozo
Carrizozo Municipal Schools

Cloudcroft
Cloudcroft Municipal Schools

Clovis
Clovis High School
Doths Jr. High School
Marshall Jr. High School
Yucca Jr. High School

Cobre
Cobre Consolidated Schools

Deming
Deming School District
St. Mary's Interparochial School

Elida
Elida Municipal Schools

Encino
Encino Public Schools

Estancia
Estancia Municipal Schools

Eunice
Eunice High School
Catron Jr. High School

Farmington
Farmington Municipal Schools

Floyd
Floyd Municipal Schools

Fort Sumner
Fort Sumner High School
Fort Sumner Elementary School

Gallup
Gallup-McKinley County Public Schools

Hatch
Hatch Valley Municipal Schools

Hobbs
Hobbs Municipal Schools

Hondo
Hondo Valley Public Schools

Las Cruces
Las Cruces Public Schools

Las Vegas
Las Vegas City Schools

Los Alamos
Los Alamos Schools

Lordsburg
Lordsburg Public School System
Lordsburg High School
Dugan-Tarango Middle School

Loving
Loving Municipal Schools

Lovington
Lovington Public Schools

Mosquero
Mosquero Municipal Schools

Mountainair
Mountainair High School

Portales
Portales Municipal Schools

Quemado
Quemado Independent School District

Raton
Raton Public Schools

Roswell
Roswell Independent School District

Ruidoso
Ruidoso High School

Santa Fe
Santa Fe Public School
Santa Fe High School
Santa Fe Vocational Technical School
De Vargas Jr. High School
Harrington Jr. High School

Santa Rosa
Santa Rosa Consolidated Schools

Silver City
Silver City Consolidated Schools

Springer
Springer Municipal Schools

Taos
Taos Municipal Schools
Taos High School
Taos Jr. High School
Taos Middle School

Tatum
Tatum High School
Tatum Jr. High School
Tatum Grade School

Texico
Texico Municipal Schools

Truth or Consequences
Hot Springs High School
Truth or Consequences Middle School

Tucumcari
Tucumcari High Schools
Tucumcari Jr. High Schools
Zia Elementary School
Granger School
Mountainview Elementary School

END