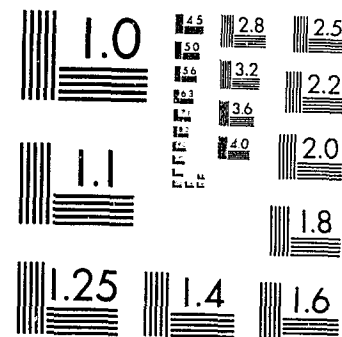


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Annual Report of the

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE PROGRAM

March 1984

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Office of the Attorney General
Washington, D. C. 20530

March 14, 1984

The Honorable Ronald Reagan
President of the United States
The White House
Washington, DC 20500

Dear Mr. President:

When this Administration took office, we targeted the reduction of crime as a key priority and initiated action to strengthen our law enforcement efforts, particularly in the area of organized crime and drug trafficking. For the first time in history, the FBI was brought into the drug battle. Moreover, we changed the posse comitatus laws to bring the Nation's military into the fight against crime. We also substantially increased the resources of Federal law enforcement -- by adding close to 1,000 new FBI and DEA agents beginning in FY 1981, and by increasing the Federal law enforcement budget by almost fifty percent over the past three years. Our multifaceted national strategy, however, had as its cornerstone the establishment of twelve new task forces whose mission was to identify, investigate, and prosecute high-level members of drug trafficking enterprises.

The Organized Crime Drug Enforcement Task Forces are now fully operational and are beginning to deliver impressive results. The Task Forces have facilitated functioning partnerships between and among Federal, State, and local law enforcement agencies, and have initiated significant cases against the organizers, financiers, and money launderers who direct and support organized drug groups. As of December 31, 1983, the new Task Forces had initiated over four hundred and fifty cases. Although the enclosed report covers only 1983 -- the first year of our new Task Forces -- the progress reported has continued and grown thus far in 1984. In fact, compared to all of 1983, there were twenty-two percent more cases in which indictments were returned in the first two months of 1984 alone -- and a thirty-two percent increase in the number of defendants indicted.

I am also pleased to report the progress of other elements of our strategy to fight organized crime and drug trafficking -- specifically, the Organized Crime Commission, the Governor's Project, and increased prison and jail space. The legislative initiatives so vital to the fight against crime have been positively acted upon by the Senate and await House of Representatives action. As a result of a Memorandum of Agreement signed by Secretary Regan and myself, the National Center for State and Local Law Enforcement Training has become fully operational,

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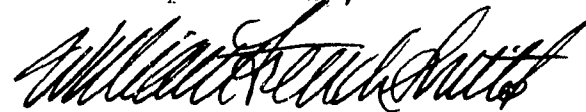
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training State and local enforcement personnel from 50 states in the past year.

In view of these accomplishments, it is particularly gratifying to me to transmit herewith the first annual report you requested be made to the American people through your office and the Congress. Copies are also being provided specifically to the Appropriations Committees and Judiciary Committees of the Senate and the House of Representatives.

Respectfully,



William French Smith
Attorney General

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Annual Report of the

Organized Crime Drug Enforcement Task Force Program

March 1984

Executive Summary

On October 14, 1982, President Reagan announced an unprecedented Federal effort to sever the connection between drug trafficking and organized crime in the United States. The establishment of twelve Organized Crime Drug Enforcement Task Forces was among several initiatives the President directed. Other initiatives included:

- Establishment of the Organized Crime Commission, a panel of distinguished experts, to hold public hearings and analyze criminal organizations and their influence across the United States;
- Establishment of the Governors Project to enlist Governors in bringing about criminal justice reforms;
- Increased emphasis on training State and local law enforcement personnel at the Federal Law Enforcement Training Center;
- Supplementary prison and jail facilities; and
- A renewal of efforts to obtain passage by Congress of important criminal law reforms.

The President also requested a yearly report to the American people on the status of the fight against organized crime and organized criminal groups dealing in drugs. This is the first *Annual Report of the Organized Crime Drug Enforcement Task Force Program*. It includes an inventory of the progress of the other presidential initiatives.

The twelve Task Forces, keystone of the President's initiatives, are central to this report. The Task Forces began with a nationwide narcotics crime survey conducted by the ninety-four United States Attorneys. Geographic definitions for the twelve Task Force Regions were established and personnel allocations were fitted to each Region's requirements as determined from the nationwide

analysis. At the same time, under the direction of the Associate Attorney General and the Assistant Secretary of the Treasury for Enforcement and Operations, operating guidelines entitled *Guidelines for the Drug Enforcement Task Forces* were drafted, discussed, and redrafted by the enforcement agencies initially involved: the Internal Revenue Service, the U.S. Customs Service, and the Bureau of Alcohol, Tobacco and Firearms in the Department of the Treasury, and the Federal Bureau of Investigation and the Drug Enforcement Administration in the Department of Justice.

In January 1983 authorization was granted for 200 additional prosecutor positions for U.S. Attorneys and 1,000 additional investigator positions for Federal enforcement agencies. The agencies made available for these positions their most experienced narcotics and financial investigative personnel for Task Force cases, backfilling normal operations as fast as new agents could be hired and trained. Although some of these replacements were still in training, virtually all Task Force commitments were filled by October 1, 1983; and this was accomplished without reported damage to pre-existing agency operations. Thus, at year's end the Task Forces comprised 1,200 experienced agents and attorneys, supported by paralegal, research, and clerical personnel, all of whose efforts were focused on dismantling drug trafficking organizations.

Restrictive case selection rules were written to ensure that the Task Forces would take the more difficult course which is their mandate—attack high-level targets. In order to respond quickly to the emergency, as requested by the President, the Task Forces adopted 200 existing cases. The Associate Attorney General approved these initial investigations on a case-by-case basis. The criteria for approval included ongoing pre-indictment investigative work, the occurrence of narcotics distribution at an organized level, and the need for the skills of more than one law enforcement agency. Task Forces then proceeded individually to select additional worthwhile investigations to pursue, eventually developing 467 cases nationwide.

2

The cases, as well as the *Guidelines*, shaped the Task Forces. Where obstacles to progress occurred they were quickly overcome by the necessities of case development and prosecution. Then, as administrative and political matters began to sort themselves out, the first indictments were returned and prosecutions begun.

The principal defendants are from the highest levels of narcotics trafficking organizations. They include physicians, bankers, and public employees, as well as drug financiers, smugglers, and distributors. The cases are comprehensive in their exploitation of all criminal aspects of an investigation because the Task Forces are able to field a variety of investigative and prosecutorial expertise. Two hundred sixty-four indictments involving 1,232 defendants have so far been produced. Ninety of those defendants are charged under the Racketeer Influenced and Corrupt Organizations (RICO) statute. This charge carries a maximum sentence of twenty years' imprisonment and also provides for criminal forfeiture of all interests acquired in violation of the statute. Through December 31, 1983, fines, seizures, and forfeitures of cash and property exceeded \$50 million. Tons of narcotics and dangerous drugs were removed from the illegal marketplace and destroyed.

The most remarkable statistic may result from Task Force employment of the Continuing Criminal Enterprise (CCE) statute. This statute carries a maximum penalty of life imprisonment without parole opportunity and provides for forfeiture of the proceeds connected with the enterprise. In the first ten years following passage of this potentially powerful statute in 1970, grand juries returned only eighty-five indictments charging CCE violations. As high-level drug trafficking and enforcement activities increased, CCE indictments also increased from twenty-nine in FY 1981, to fifty-six in FY 1982, and to sixty-eight in FY 1983. Most of these record-making sixty-eight CCE indictments were returned in Task Force cases. In the first year forty-one cases, one-third of all indicted Task Force cases, included CCE indictments.

The Task Forces in their first year were not without internal challenges and growing pains. These are enumerated in this report with a view toward effecting their resolution. Just as local drug markets and criminal organizations differ, the twelve Task Forces differ in makeup, management systems, and case and intelligence development approaches. However, all are producing polished, significant cases, broad in scope, with vertical penetration into significant trafficking organizations to a degree never previously achieved. The synergistic work of a half-dozen Federal investigative agencies and guidelines that encourage pursuit of important potential defendants are the new weapons provided by the Task Force Program.

The most comprehensive information in this report is to be found in the narrative sections which, as a group, present a current review of drug trafficking organizations and a reliable picture of the Task Forces in operation and their progress in four areas of special emphasis: intervention at high levels of criminal organizations; coordination and cooperation between Federal agencies; participation by State and local agencies; and financial investigations, seizures, and forfeitures.

Some statistical measurements of drug availability and abuse are included in this report. As might be expected, no Task Force impact on the trends reflected in these data can yet be perceived. What the statistics do present clearly is the current magnitude of the problem, truly the major law enforcement challenge of this quarter-century.

Considerable progress has been made on the presidential initiatives, which were announced only eighteen months ago. This report presents specific data and activity summaries for 1983 on each initiative.

Organized criminal ventures, narcotics trafficking crimes in particular, have not abated. But the Organized Crime Drug Enforcement Task Forces and the supporting Federal, State, and local agencies have demonstrated new methods and a renewed spirit that may mark a turning point in the battle against illicit trafficking in narcotics and dangerous drugs.

Background and Introduction to the Task Force Program

Purpose, Rationale, and Methodology of the Annual Report

This report summarizes the first-year operations of the twelve Organized Crime Drug Enforcement Task Forces. President Reagan announced the Task Force Program and other drug enforcement initiatives on October 14, 1982. The Task Force Program was formally provided resources by Public Law 97-377, The Continuing Appropriations for 1983, enacted on December 21, 1982. Congress specified requirements for an annual report on the Task Forces.* This report meets three congressional requirements: 1) that it disclose and compare certain statistical indicators of drug abuse, drug distribution, and narcotics law enforcement, 2) that it explain the Task Force Program's operational guidelines, and 3) that it provide examples of successful narcotics law enforcement and prosecution.† It also includes progress reports on the Organized Crime Commission, the Governors Project, the National Center for State and Local Law Enforcement Training, the program for supplementary prison and jail facilities, and the anti-crime legislative initiatives.

Since no national data for this report were accepted after February 1, 1984, most December 1983

* Requirements were outlined in the House and Senate Appropriations Conference Committee Report, December 20, 1982, as published in the Congressional Record (H10:632). The *Guidelines for the Drug Enforcement Task Forces* were adopted by the Attorney General on January 20, 1983, which became the effective start-up date.

† The term "narcotic," in its medical meaning, refers to opium, opium derivatives, or synthetic substitutes. In this report, the term narcotics is used to refer to all drugs that are traded illegally.

data and, in some instances, data for the entire last half of CY 1983 are estimated. Investigations of the kind mandated to the Task Forces typically require years rather than months for development. Virtually all 1,232 of the Task Force indictments so far reported resulted from the 200 original investigations which were in a pre-indictment stage when the Task Forces began operating in 1983.

The fact that no Task Force has more than a year of institutional development and many have much less does not preclude progress but does tend to devalue the statistical results. As expected, in this first annual accounting reflecting both the growth of narcotics crime and the early inroads of the Task Forces, the data progression is not always favorable. Early arrest and conviction figures represent solid Task Force accomplishments, but as long as drug prices are stable and user figures climb, the statistics only demonstrate that still more effort is required.

The congressional requirements for explanation of the Task Force guidelines and examples of successful investigations are met in narrative format throughout this report. Data for this report were gathered by a small team comprised equally of Department of Justice personnel and criminal justice research consultants who interviewed 363 Task Force Personnel and other interested parties at the three major structural components of the Task Force Program—Washington, D.C., operations; regional core cities; and several of the districts.

Although this report is prepared by staff under the supervision of the Attorney General, the authors in fact are the agents, attorneys, and managers who subordinated personal and parochial concerns in the interest of providing an accurate and comprehensive review of the first year of the President's new offensives against organized criminal enterprises.

Historical Overview of Drug Trafficking and the Federal Response

Genesis of Drug Abuse in the United States

Throughout this country's history, drug abuse and resultant dependency have caused concern within families as well as the medical profession, law enforcement agencies, and legislative bodies. The use, sale, and distribution of illicit drugs have been problems in the United States from the days of the Yankee clipper ship captain secreting a few tins of raw opium in his sea bag to the current annual importation of hundreds of millions of dollars worth of heroin, cocaine, and marijuana by organized criminal syndicates. Only the substances of choice, the prevalence of abuse, and the means of dissemination have changed.

In the late eighteenth and early nineteenth centuries opium was prescribed by American doctors for a variety of ailments ranging from headaches to melancholy. Its medicinal use was in such favor that commercial poppy fields were established in Louisiana and Mississippi to meet the national demand. While signs of physical dependence were noted by physicians, it was not considered to be nearly as dangerous as alcohol or tobacco use. In fact, opium was often prescribed as a curative for the "immoral use of drink and tobacco."

"The habit is gaining fearful ground among our professional men, the operatives in our mills, our weary serving women, our fagged clerks, our former liquor drunkards, our very day laborers, who a generation ago took gin. All our classes from the highest to the lowest are yearly increasing their consumption of the drug(s)."

Fitzhugh Ludlow, *Harper's* magazine, August 1867

Widespread dependence did not occur until the turn of the nineteenth century, when morphine was synthesized from opium base. Hailed as a non-

addictive substitute for opium, it was even more widely prescribed and distributed than its predecessor. The isolation of the alkaloid derivative codeine and the invention of the hypodermic syringe in 1845 greatly enhanced the medical profession's use of narcotics to alleviate the ills of the American populace and furthered their potential for abuse.

The medicinal powers of the substances and the profit to be gained from their sale and distribution were recognized by the burgeoning pharmaceutical industry and by hundreds of smaller entrepreneurs and peddlers. Elixirs and nostrums as well as "soothing preparations for children" were available as over-the-counter medicines in pharmacies, barber shops, and general stores. These cheerfully labeled products, such as Mrs. Winslow's Soothing Syrup, Lydia Pinkham's Remedy, and Godfrey's Cordial, were composed of any of several opium derivatives—paregoric, laudanum, and codeine—all heavily laced with alcohol and sugar syrups. During this era, it has been estimated that 4 percent of the population of the United States or some 2.5 million individuals were also using some sort of opiate for non-medicinal purposes.

The Civil War, perhaps more than any other event up to that time, was a catalyst for American addiction. Due to inadequate field hospital facilities and the reliance on amputation to prevent the spread of gangrene, morphine was dispensed with minimal concern for its habit-forming properties. Its use was so widespread that the resultant addiction of tens of thousands of servicemen became known as the "soldier's disease."

In the 1880s, drug addiction was viewed by the medical profession and the American populace as a moral weakness similar to but far less odious than alcoholism. In contrast to the rapidly growing temperance movement, there was no outcry for abstention or even minimal controls on the manufacture or sale of opiates.

As the number of addicted individuals grew, however, the medical community became increasingly concerned. The prescription of opium products as well as the use of non-regulated patent medicines was increasing. While there was no question that opium products had beneficial medicinal properties, the debilitating results of long-term opiate use were being identified.

In the search for a substitute, heroin was isolated in Germany in 1895. Once again an opiate, this time heralded as "God's Own Medicine," was said to be a non-addictive, safe drug that was more effective than opium or morphine and could be used to treat and cure morphine addiction.

As society began to realize that the chronic use of opium and its derivatives was a national problem, a number of State laws were enacted that called for the confinement of chronic abusers in public institutions. However, the lack of available beds and inadequate treatment methods soon led to legislative measures directed at the control and distribution of opiates in order to combat widespread abuse.

Early Federal Response

Legislative Initiatives

The first attempt at regulating the use and distribution of opium in the United States was legislated by Congress in 1909. Known as "An Act to Prohibit the Importation and Use of Opium for Other Than Medicinal Purposes," the bill was an outgrowth of the findings and recommendations of the 1908 Shanghai Convention and the American Opium Commission which Congress had established in 1908.

The legislation imposed criminal sanctions on illegal opium importation and directed the Secretary of the Treasury to establish guidelines and regulations that would ensure the registration of all opiate derivatives entering the country. The Act did not, however, deal with the domestic production, manufacture, or interstate shipment of opium products. Opium products were still available without a physician's prescription and were being marketed throughout the country through retail outlets and a growing mail-order trade.

Faced with a national consumption rate estimated at 400,000 pounds of opium a year and intense lobbying on the part of religious and civic groups, Congress responded with the passage of the Harrison Narcotic Act in 1914, which became the cornerstone of domestic narcotics policy. The Act, administered by the Department of the Treasury's Commissioner of Prohibition, imposed an excise tax on each ounce of opium, coca leaves, and opium alkaloids distributed. It further required every individual who was involved in narcotics importation, manufacture, sale, and distribution (including physicians) to pay an annual tax and register with the Treasury Department. Each registrant was required to keep complete records of each transaction and to provide these records to the Government upon request.

Certain individuals viewed the Harrison Act as a rational way to limit addiction and drug abuse through taxation and registration. It was a regulatory device which, according to the American

Opium Commission, "would bring the whole traffic and use of these drugs into the light of day and, therefore, create a public opinion against the use of them that would be more important, perhaps, than the Act itself" (Dr. Hamilton Wright, American Opium Commission). The Act was heralded as a method of drug abuse control and as a public awareness tool.

Judicial Decisions

The Harrison Act, at first glance, appeared to sanction the medical profession's treatment of addicted individuals with opium derivatives as long as the physicians duly registered with the Treasury Department, paid the required excise taxes, and prescribed the medication in good faith. However, the imposition of a tax as a regulatory measure, and the ambiguity of the "good faith" clause, destined the Act to judicial review and interpretation. In a three-year period, 1919 to 1922, the Supreme Court rendered three opinions that subsequently governed the enforcement of the Act. On May 3, 1919, the Court, in *United States v. Doremus*, ruled that the Act was within the taxing authority of Congress and did not violate the Constitution despite the fact that the excise tax was levied for other than revenue-raising purposes. On the same day, the Court handed down its decision in *Webb v. United States*. Dr. Webb, an acknowledged "script doctor,"* was arrested for prescribing morphine to an addict not directly under his care. The Court ruled that Webb had violated the Harrison Act by prescribing morphine to the addict "for the sake of continuing his accustomed use," and not as a cure to his addiction. Finally, in a 1922 landmark decision, *United States v. Behrman*, the Supreme Court ruled that it was illegal for a doctor to prescribe narcotics to an addict on a maintenance basis even if the individual was a patient under the physician's care, stating that "such so-called prescriptions could only result in the gratification of a diseased appetite for these pernicious drugs...."

* Since the mid-1880s, doctors had been treating addicted individuals through maintenance programs, prescribing varying amounts of morphine or codeine on a regular basis. The vast majority of physicians who operated clinics for addicts as well as those who treated patients on an individual basis prescribed minimum dosages and obeyed the law, but a few, known as "script doctors," sold prescriptions on a graduated scale based upon the strength of the dosage and not upon its actual value or the patient's need.

These decisions set the stage for thousands of additional prosecutions. (From 1914 to 1922, over 50,000 individuals were charged under the Act although 75 percent of the charges were subsequently dropped.) Essentially, the Court had ruled that an acknowledged addict could no longer receive treatment on a maintenance basis from a physician. The result was that doctors ceased prescribing narcotics to known addicts. Their role was filled by pushers and illegal drug dealers. Addicted individuals now sought non-prescription narcotics from illicit sources.

Law Enforcement Efforts (1914-1929)

The passage of the Volstead Act in 1919, which outlawed the sale and distribution of alcohol, can also be viewed as a benchmark in the Federal effort to control the sale and distribution of narcotics. The Act established the Prohibition Unit in the Treasury Department and granted it the authority and responsibility for enforcing America's "noble experiment." Initially, it seemed logical to place the enforcement arm of the Harrison Act within the newly created Prohibition Unit. Accordingly, the Narcotics Division was formed with an initial staff of 170 agents and an appropriation of \$270,000 in 1919.

"As in the case of most prohibitive laws, however, this one fell short of the mark. So far, in fact, that instead of stopping the traffic, those who deal in dope now make double their money from the poor unfortunates upon whom they prey."

Illinois Medical Journal, editorial on the Harrison Act, June 1926

The record of the Narcotics Division was mixed. After the initial onslaught of arrests following the *Doremus* and *Webb* decisions, the Division concentrated on closing the few remaining clinics that were still in operation and on prosecuting street peddlers. While the number of convictions of those required to register under the Act fell markedly, the length of prison terms imposed escalated as judges and juries reacted to the public's growing

concern over the illegal drug trade. The result was overcrowding of Federal penitentiaries with narcotics violators and the call for "narcotics farms," which were to be administered by the Public Health Service.

"Agents should discontinue investigating the corner drug-store and the family doctor and get after the smugglers and racketeers."

Henry J. Anslinger, upon his appointment to the Commission of Narcotics, 1930

During this period the American Medical Association (AMA), which initially saw the Harrison Act as an effective means to rid the medical profession of unscrupulous doctors, became concerned about the perceived harassment of its members. The widespread investigation and the sometimes overzealous enforcement tactics of the Narcotics Division lead the AMA to question the Federal Government's role in the practice of medicine. Both the Treasury Department and the AMA closely followed the court cases revolving around the Harrison Act and the implications of the Court's decisions for the medical profession. Agents who formerly focused their attention on registered physicians were pressed by the Treasury Department and the AMA to concentrate their efforts on the blatantly illegal importation and sale of narcotics. Criticism of the Division's tactics and its close association with the enforcers of the "dry laws," which had become more and more an anathema to the American people, culminated in 1929. As a result of a scandal involving the falsification of arrest records, and charges of payoffs and collusion with dealers, drug enforcement responsibilities were removed from the Prohibition Unit and a separate Federal Bureau of Narcotics was created on July 1, 1930. This reorganization was the first of many to shape the mandate and, subsequently, the effectiveness of drug enforcement within the Federal Government.

The early years of the Federal Bureau of Narcotics were most notably marked by the successful shepherding and passage of the Marijuana Act and the attack on organized crime involved in narcotics. Although there was some interest in incorporating a ban on marijuana into the Harrison Act, it was not considered a sufficiently dangerous substance

at that time. A primary reason for its exclusion was its commercial value. Marijuana was still being cultivated widely in the South and Southwest as a natural fiber for making rope and twine. It was also used extensively in the pharmaceutical industry as an ingredient in veterinary medicines and as a base for corn plasters. Its potential for abuse based upon its euphoria-producing properties was seen to be far outweighed by its commercial value. However, the mood of the country and Congress began to change with regard to the potential dangers of marijuana in the 1930s as a result of the efforts of a small but vocal group of crusaders.

The Narcotics Bureau's leaders initially thought that the States should exercise their authority in the control of the drug. In its annual report of 1932, the Bureau played down the dangers of marijuana and instead called for passage of a Uniform State Narcotics Law to be adopted by the States. The Bureau argued that such adoption would facilitate a Federal, State, and local partnership in the control of marijuana and other drugs, signaling the first call for multi-organizational cooperation in the control and regulation of illicit drugs.

Despite the Bureau's position, State and local authorities continued to lobby for a Federal statute. Governors, State legislators, and a variety of civic and religious groups went to Congress with tales of marijuana-induced crime and violence. Faced with this outcry, the Bureau eventually became an ardent supporter of marijuana legislation.

Led by its Commissioner, the Narcotics Bureau and members of the House Ways and Means Committee drafted legislation to outlaw the importation, production, use, and distribution of marijuana. The Marijuana Tax Act passed in both the House and the Senate and was signed by President Roosevelt in the summer of 1937.

Patterns of Drug Trafficking

Although the Bureau supported the passage of the Tax Act, it still saw its primary mission as the interdiction of illegal narcotics and the enforcement of the Harrison Act. The Volstead Act, which had created the Bureau's predecessor, was, ironically, an impetus for the expansion of organized crime.

The Rise of Organized Crime

Prior to the 1900s, every major metropolitan area in the United States had tight-knit criminal gangs. The early gangs developed in tenements and ghettos populated by European immigrants who entered the country in massive numbers in the

1800s. The gangs primarily confined their activities to their own "turf," preying upon their fellow immigrants. Whether Chinese, Italian, Irish, or German, the gangs specialized in muggings, extortion, and loan-sharking. As the gangs or syndicates grew in size and wealth, they streamlined their organizations, relying to a large degree on the skills, education, and Americanization of second-generation members. There were greater profits and fewer risks involved in prostitution, gambling, and protection than in muggings or armed robbery. Accordingly, the membership began to include accountants, lawyers, and those with an entrepreneurial bent intent on cashing in with the rest of the country in the new era of prosperity.

When Prohibition came, the syndicates were ready. Using the skills and resources that they had developed over the last decades as well as their newly instilled business acumen, they moved into the bootleg business. Throughout the 1920s and early 1930s, they were responsible for the smuggling, distribution, and sale of hundreds of millions of dollars worth of illegally distilled spirits that the American public was more than eager to buy.

With the repeal of the Volstead Act in 1933, organized crime was faced with a major problem. The revenues derived from the production, importation, and distribution of illegal spirits suddenly evaporated. This income, which had nurtured and sustained the major criminal organizations, was reduced from an estimated \$80 million per year to a negligible amount received from infiltration into the trucking and hauling industries that moved the legal alcohol from wholesalers to retail outlets.

Due largely to experience gained in rum running and smuggling, and the existence of an elaborate distribution network, the illegal drug trade proved to be a natural transition for organized crime. While the potential profits were high, the market was minimal. The public's concern for the drug problem and criminal involvement was also minimal and sporadically expressed. Drug use was characterized in the popular press as a problem confined to public personalities such as Billie Holiday and others in the artistic community.

During the late 1940s and 1950s, the Federal Bureau of Narcotics continued its efforts to interdict illicit drugs coming into the country and prosecute distributors and dealers. Unlike the previous decades, however, the Bureau adopted a more moderate approach in its dealings with Congress as well as the American people. While still alerting the public to the dangers of narcotics abuse, it

concentrated on seeking harsher penalties and mandatory minimum sentences for narcotics violators. The Bureau focused its efforts on street vendors and known importers such as Arnold Rothstein, Vito Genevese, and Lucky Luciano.

*Current Patterns**

The drug-related crime problem in the 1980s is not limited to traditional organized crime. In the past twenty years, newly organized criminal enterprises that deal not only in drugs but also in other criminal activities traditionally controlled by organizations such as La Costa Nostra have emerged.

Drug trafficking is a continuing criminal enterprise in which a series of criminal laws are violated for financial gain. It requires the collaboration of a large number of people in complicated organizational and financial structures. Drug organizations do not necessarily consist of individuals with the same ethnic background. Their commonality may rest on similar occupational groupings (e.g., doctors and pharmacists, lawyers and accountants), on coincidental association (e.g., prison gangs), or simply on common interests other than drugs (e.g., motorcycle gangs). These drug organizations often must depend on or actually ally with other groups in order to accomplish a particular aspect of the operation.

Regardless of the specific drug involved, as in any business structure drug trafficking organizations have various needs and hire individuals who will accomplish many tasks. They include financiers, logistics experts, exporters, importers, wholesalers, retailers, and recruiters. This separation of function promotes efficiency and protects the organization. The loss of any one member does not threaten the stability of the whole organization. Only the upper echelon has knowledge of the entire operational structure.

Like traditional organized crime groups, these organizations seek to protect themselves with vows of secrecy and loyalty, enforcing their strict discipline by threats of violence. In the major organizations, the bonds are further strengthened by ethnic and family ties.

Traditional Organized Crime. The term "organized crime" is not synonymous with any one group; many varieties and combinations of criminal groups are properly included within the definition. There

* Information for this section of the report was provided by the FBI, DEA, and IRS.

does exist at least one criminal organization that is national in scope—La Cosa Nostra, or LCN, sometimes referred to as the Syndicate or the Mob.

Today, LCN consists of a confederation of twenty-four "families," each operating within similar organizational structures and using similar methods. Though each member is affiliated with a particular family, all recognize that they are part of a national organization. There is substantial evidence of a "commission" that resolves inter-family disputes, ratifies new bosses, and, at times, issues orders on matters of common concern.

LCN has remained intact in this country largely as a result of its organizational structure and unyielding requirements of loyalty and discipline, enforced by threats and violence. Although its members may be bound together by common ancestry, blood relationships are not required or implied by the use of the term "family."

Other Organized Crime Groups. Other organized groups from varied geographic, ethnic, and racial backgrounds are involved in illegal activities, including the traditional rackets and narcotics. For example, prison-spawned gangs developed inside the California State Prison System in the 1960s. They remain mostly a West Coast phenomenon and are quasi-military, violence-prone, highly structured criminal enterprises that operate both inside and outside prison walls. They engage in a wide range of criminal activities including narcotics and weapons trafficking, extortion, robbery, and murder. Known prison gangs include the Mexican Mafia, La Nuestra Familia, the Aryan Brotherhood, and the Black Guerrilla Family.

Other ethnic groups emerging in this country include the Japanese Yakuza and the Chinese Triad Societies.

Another major organized crime group includes the approximately 800 outlaw motorcycle gangs in the United States. These gangs have graduated from lawless, hell-raising motorcycle riding outlaws to sophisticated criminal organizations. The leaders sometimes wear three-piece suits, drive expensive cars, run legitimate businesses, and only wear their "colors" or ride their bikes on special occasions. The largest and most significant of these gangs are the Hells Angels, Outlaws, Pagans, and Bandidos. The Hells Angels and Outlaws have chapters in other countries as well.

Outlaw motorcycle gangs derive the bulk of their finances from illegal activities including prostitution, vehicle theft, burglary, and the manufacture and distribution of illicit drugs. Methamphetamine and phencyclidine (PCP) are the drugs

most often associated with outlaw motorcycle gangs but they also traffic in cocaine, heroin, and methaqualone.*

Organized crime groups cross national boundaries as well. For example, operating within the United States, violent Colombian criminal organizations are exploiting the cocaine market. The Drug Enforcement Administration (DEA) has identified ten to twelve Colombian organizations which control the majority of cocaine traffic to the United States. During the 1960s and 1970s, the Colombians expanded their roles as producers and couriers for other distribution networks to the actual smuggling and distributing of drugs themselves. Although they have gained a foothold in many U.S. cities, their primary infrastructure and U.S. distribution points remain in South Florida.

The Professionals: Commerce, Finance, the Law, and Medicine. There is one central ingredient in a narcotics organization upon which all others actively depend for their continued operation. This ingredient can best be described as the "professionals" in an organization. They are the importers, distributors, financiers, and money launderers. Historically, this group remained insulated by front company nominees and middlemen because the various law enforcement agencies lacked sufficient resources to pierce this veil of secrecy. Traditionally, their participation in organized crime has meant supplying capital to finance drug ventures or laundering proceeds collected through the distribution of drugs.

Recently the lure of easy, almost limitless wealth, obtainable in a relatively short period of time, has resulted in new drug trafficking organizations formed by some of these professionals. These types of organizations are unique in that they are often composed of individuals from all social and economic classes who have no previous criminal records and are respected members of their communities.

In many instances these trafficking organizations are structured along corporate lines, with each member of the organization having a specific function and definite place in the chain of command. Many times the members operate conglomerates of several small, organized groups which handle one or more of the drug trafficking activities—finance, importation, transportation, storage, security, distribution, money laundering, etc. Although these

* It is estimated that at least 60 percent of the methamphetamine available in this country is controlled by outlaw motorcycle gangs.

organizations are not traditional LCN organizations, they employ techniques, technical equipment, and disciplines normally associated with LCN.

More and more frequently money laundering specialists are being utilized by these drug trafficking organizations as well as the traditional criminal organizations because they are skilled at devising sophisticated techniques to dispose of the enormous amounts of currency and at converting the illegally generated profits to paper entries and other less suspicious forms.

These money laundering specialists sometimes prove to be attorneys, bankers, and accountants. They may not only help launder the illicit drug money, they may also provide financing for the drug trafficking organizations. Accountants have been utilized to keep the books of the drug trafficking organizations and many times help disguise the source of the drug proceeds. Laundering these drug proceeds through U.S. financial institutions may involve the cooperation of bankers, money brokers, and their associates.

Another group of drug trafficking professionals are the doctors, stockbrokers, engineers, and other businessmen who help finance the importation and/or distribution of large quantities of drugs. These individuals are the silent partners, taking very little risk, yet reaping phenomenal profits. These importers/exporters are "clean" because they, too, are usually respected members of the community having no previous criminal records.

Another highly sophisticated criminal group consists of those medical professionals who divert controlled drugs from health-care channels into the illicit market. These activities are frequently financed and controlled by traditional organized crime groups which have discovered that there are enormous profits to be made by diverting controlled drugs while hiding behind the medical cloak of respectability.

Law enforcement problems arise because of the thin line between legitimate and illegitimate practice. In diagnosing various illnesses and prescribing or dispensing the type and amount of drugs for treatment, physicians necessarily require wide latitude in judgment. Proving that this judgment involves criminal intent is extremely difficult.

In order to obtain a conviction, the prosecution must prove that a physician's activity was outside the scope of legitimate medical practice. The investigation of this type of crime relies on the analysis of such things as a doctor's prescribing or dispensing patterns, clinic records, the extent of a doctor-patient relationship, and drug purchases. These investigations are very complex and

time-consuming, and the prosecution must satisfy a heavy burden of proof.

This type of criminal enterprise is not limited to single practitioners; organizations have also been formed to divert controlled drugs under the guise of medical care facilities. These clinics are often well-equipped and staffed to maintain the facade of a legitimate practice. They are frequently owned and operated by non-medical personnel. One such organization netted an individual over \$5 million in two years and involved several physicians who conspired with over forty retail pharmacies to fill illegal prescriptions. Millions of dosage units of highly abused controlled drugs have been diverted into the illicit market by these clinics.

The scope of the diversion by one group may extend across State lines and encompass an entire region within the United States. This has become a national and international phenomenon as licit controlled drugs become the drugs of choice because of the consistent quality and widespread availability.

Federal Enforcement Efforts in the Modern Era

To fully appreciate the evolution of Federal drug enforcement activities during the 1980s, it is necessary to understand the political and bureaucratic climate that, to a large extent, governed their development in the 1960s and 1970s.

"The present activity of the Federal Government regarding drug abuse is fragmented. The divisions, agencies, and bureaus of five cabinet departments are involved. Inherent in this fragmentation is a lessened emphasis on the problem of drug abuse because other, more primary duties face each official. A strong, well-coordinated general policy for the operating divisions at lower levels has not been developed."

The President's Advisory Commission on Narcotics and Drug Abuse, 1963

After a twenty-year hiatus, concern about the "national drug problem" resurfaced at the State level in the early Sixties. In both the California and New York 1962 gubernatorial campaigns, central issues were teenage drug abuse and crime in the streets. Accusations, on the one hand, of being soft on drug dealers, and on the other hand, of treating drug abuse as a criminal activity rather than a disease, permeated both campaigns. As a result, public attention was sharply focused on the issue and there was increased pressure from the public as well as State, local, and congressional officials for new Federal initiatives to deal with narcotics addiction and crime.

Presidential Commissions

A direct outgrowth of public concern was the convocation of the White House Conference on Narcotics and Drug Abuse in 1962, which led to an Executive Order establishing the Advisory Commission on Narcotics and Drug Abuse the following spring. The Commission's findings, made public in November 1963, called for a complete overhaul of the Federal narcotics enforcement system. Specifically, the Commission recommended the following:

- The transfer of enforcement powers from the Department of the Treasury to the Department of Justice, with the oversight of all activities by a "drug czar" appointed by the President;
- The transfer of education and information responsibilities (non-enforcement) from the Treasury Department to the Department of Health, Education and Welfare;
- The transfer of regulation and control of licit dangerous drugs (amphetamines, barbiturates, etc.) from the Food and Drug Administration to the Department of Justice;
- An increase in the number of narcotics agents; and
- The liberalization of rules and regulations governing the use of wiretaps and pen registers in order to facilitate criminal investigations undertaken by Federal agents.

The Commission's recommendations received approval by the Administration but did not come to immediate fruition. The assassination of the

President later that month and the initial priorities of the Johnson Administration relegated the Commission's findings to the back shelf for the next few years.

In 1965 President Johnson, faced with a rising national concern over the misuse of barbiturates and amphetamines as well as the highly publicized proliferation of LSD among college-age youth, created his own advisory panel on drugs and narcotics. The Commission on Law Enforcement and Administration of Justice was charged with the formidable mandate of undertaking a comprehensive study of the nation's crime problem and providing recommendations to coordinate its eradication on all fronts. The Task Force on Narcotics and Drug Abuse, a subcommittee of the Commission, was directed to study current Federal drug enforcement procedures and develop criteria for streamlining and consolidating them.

Based upon the findings of both presidential commissions, President Johnson sent his reorganization plan of 1968 to Congress. In his message, he stated:

... I call for the creation of a new and powerful Bureau of Narcotics and Dangerous Drugs. With this action, America will serve notice to the pusher and the peddler that their criminal acts must stop ...

In many instances, we are confronted by well-organized, disciplined and resourceful criminals who reap huge profits from their unfortunate victims. The response of the Federal Government must be unified, and it must be total ...

When the plan was submitted to Congress it received mild criticism. Some members who had fought hard in 1965 for the creation of the Bureau of Drug Abuse Control within the Food and Drug Administration held hearings to highlight that Bureau's success in reducing the number of clandestine laboratories which produced illicit amphetamines, barbiturates, and hallucinogens. Despite this attempt to retain autonomy, the Bureau of Drug Abuse Control along with many of its enforcement, informational, and analytical counterparts throughout the executive branch had its functions transferred in April 1968 to the newly created Bureau of Narcotics and Dangerous Drugs (BNDD) within the Justice Department.

International Enforcement

When Richard Nixon succeeded President Johnson in 1969, BNDD was still in its formative stages. President Nixon had made crime and drug abuse two primary issues in his campaign and, accordingly, instructed his Attorney General to make good on the campaign promises by cracking down on drugs and crime.

Task Force One was created in the spring of 1969 to design programs that would have an immediate effect on the importation of heroin and other illegal drugs that were crossing the borders in increasing amounts. The Task Force, headed by the Associate Attorney General and the Assistant Secretary of the Treasury for Enforcement and Operations, developed the first major interagency attempt at border interdiction. Labeled Operation Intercept, it sought to bring the personnel and resources of the U.S. Customs Service and BNDD into a single entity to close the Mexican border to narcotics smugglers and to demonstrate to other countries the commitment of the United States to eradicating the importation of illegal drugs.

Operation Intercept consisted of more than 2,000 Customs, U.S. Border Patrol, and BNDD agents and was described as the "country's largest peace-time search and seizure operation conducted by civil authorities." While little in the way of illegal drugs was confiscated during the three-week operation, and relations were somewhat strained between the United States and Mexico due to the inordinate delays in processing tourists through the checkpoints, Operation Intercept was hailed as a successful effort in interagency cooperation.

As a result of the operation, Justice Department officials realized that interdiction would continue to be hamstrung without the cooperation and assistance of those countries from which the drugs originated. Therefore, the President launched new international efforts to stem the flow of drugs. Operation Intercept was converted to Operation Cooperation in the fall of 1969. One of the first efforts included the provision of direct financial aid to the Government of Mexico for purchasing aircraft and training support personnel in order to halt the drug flow before it reached the U.S. border.

In the years that followed, diplomatic initiatives were undertaken with Turkey, Burma, India, Mexico, and several Caribbean nations to curtail their production of poppies and marijuana with the financial assistance and support of the United States.

To attack the problem of drug supplies from overseas, DEA established two Special Action

Offices, one in Mexico in 1975 and the other in Southwest Asia in 1979. These were major coordination mechanisms, designed to focus enforcement efforts, diplomatic initiatives, and public support on the significant opium poppy cultivation and heroin trafficking problems originating in Mexico and Southwest Asia.

DEA also assigned agents to overseas posts as advisors to the U.S. Missions on drug enforcement and control matters. They collected and exchanged intelligence with host country counterparts and facilitated the formation of specialized narcotics enforcement agencies throughout the world.

The results of these efforts were mixed. Poppy production beyond that authorized by the Government for legitimate medical uses was curtailed in Turkey, but production increased in Pakistan and Iran. Mexican marijuana fields were uprooted and decimated by aerial spraying, but the void was quickly filled by Jamaican, Colombian, and home-grown crops.

In addition, syndicates' development of the Colombian cocaine trade, which was dismissed by the Colombian Government as minimal, was growing geometrically year by year. The Colombian Government's reluctance to act highlighted the fact that an effective "war on drugs" had to be fought with the full cooperation of all governmental units involved at both the national and international levels.

Comprehensive Drug Abuse Prevention and Control Act of 1970

The Nixon Administration inherited a panoply of laws and regulations relating to drug abuse, treatment, and enforcement when it assumed control in 1969. Not only were the statutes often overlapping and at times contradictory, but they also required enforcement by more than a dozen Federal agencies and bureaus. In an effort to bring a semblance of order to this situation, the Administration drafted and Congress passed the Comprehensive Drug Abuse Prevention and Control Act of 1970. The Act codified and simplified all Federal drug-related legislation and provided the Justice Department with extraordinary new powers, including life sentences for offenders engaged in Continuing Criminal Enterprise violations and the authority to determine the classification and restrictions on all drugs marketed within the United States. It also provided for the establishment of treatment programs and drug education efforts.

With estimates of the number of heroin addicts running into the hundreds of thousands, the

Administration sought to address the problem by bringing federally financed treatment centers under one centralized authority. In June 1971, the President, by Executive Order, established the Special Action Office on Drug Abuse Prevention. As a major component of the Administration's drug policy, it provided an informational clearinghouse for Federal drug abuse studies; and it coordinated the expansion of the federally financed treatment centers program and that program's integration into the newly formed National Institute on Drug Abuse within the Department of Health, Education and Welfare.

Office of Drug Abuse Law Enforcement

Another Executive Order, issued in February 1972, established the Office of Drug Abuse Law Enforcement (ODALE). ODALE was created as a result of the Administration's concern that BNDD and Customs could not act with the swiftness and precision that a single agency vested with authority and power could. The unit, directed from the Executive Office of the President, was staffed with agents detailed from BNDD, Customs, IRS, and the Bureau of Alcohol, Tobacco and Firearms as well as some fifty attorneys hired through the Justice Department. Because it was not part of an official reorganization approved by Congress, ODALE was financed through a series of grants from and contracts with the Law Enforcement Assistance Administration (LEAA). ODALE essentially existed as a "super agency" with control over all other narcotics enforcement units. ODALE had the unqualified support and backing of the President and was empowered to take the lead in the Administration's "war on heroin," with a particular emphasis on street-level trafficking.

While ODALE registered some initial successes, it became evident that the massive job of drug enforcement could not be accomplished through a confederation of agents and lawyers detailed from throughout the Government and orchestrated by a centralized administrative unit. This realization, combined with a series of infamous raids involving mistaken identities conducted by ODALE agents, led the Administration to reexamine its approach to the drug abuse problem.

Despite attempts to consolidate the various drug enforcement powers into the Bureau of Narcotics and Dangerous Drugs, interagency rivalries, jealousies, and overlapping jurisdiction persisted. Reports of agency non-cooperation and ineffectiveness forced the Administration and Congress

to once again restructure the Federal drug enforcement system.

Reorganization Plan No. 2

On March 28, 1973, Reorganization Plan No. 2 was sent to Congress. The heart of Reorganization Plan No. 2 was the consolidation of all Federal enforcement activities into one overall lead agency, the Drug Enforcement Administration (DEA). The Plan, which was approved by Congress after considerable debate, survived a disapproval resolution and became effective on June 7, 1973.

Essentially, the reorganization brought ODALE, BNDD, the White House's Office of National Narcotics Intelligence, and the 700 narcotics agents within Customs under DEA's purview. It transferred intelligence, investigative, and law enforcement functions of drug enforcement from the Treasury Department to the Justice Department. While Reorganization Plan No. 2 took a number of positive steps toward consolidation, it did not prove to be the hoped-for panacea. For the next several years, the Government continued to experience difficulty in conducting interagency operations in narcotics enforcement, despite the goodwill efforts of the agencies involved.

"The success of the Federal strategy and the present organizational structure rely on an effective interaction and a close, complementary relationship among 17 Federal agencies, State and local agencies, key foreign governments, and international institutions. Since the early 1970s several reviews of the overall drug control efforts initiated by the executive branch, Congress, and GAO have pointed to a continuing need for high-level policy and program oversight of the rapidly expanding drug abuse effort."

"Gains Made in Controlling Illegal Drugs, Yet the Drug Trade Flourishes," GAO Report to the Congress, October 25, 1979

Central Tactical Units

The DEA played an increasingly crucial role in the coordination of Federal drug law enforcement; and during the 1970s a number of inter-agency efforts were launched. The most successful of these was the Central Tactical Units (CENTACs), established in 1974 to bring to bear an intense concentration of enforcement efforts on selected drug trafficking targets throughout the world. Over twenty-six CENTACs were established during the period 1974 to 1981 to concentrate national investigative efforts on such notorious groups as the Jaime Herrera, John Grammatikos, and Donald Steinberg organizations. Each of the twenty-six CENTACs achieved significant enforcement results by drawing personnel not only from DEA but also from State and local agencies and a host of Federal agencies.

CENTACs were organized to operate beyond the normal DEA regional operations. They were centrally administered, received special funding, and, most importantly, were geared toward conspiracy investigations culminating in long prison sentences and the forfeiture of drug-related assets. They were mandated to concentrate investigation and prosecution on the Continuing Criminal Enterprise (CCE) statute and the Racketeer Influenced and Corrupt Organizations (RICO) statute, both of which allow for forfeiture of profits garnered through specified criminal activities.

From 1976 to 1979, CENTAC operations accounted for 12 percent of all narcotics violators arrested by DEA while utilizing less than 3 percent of DEA personnel. Heavy prison sentences were imposed on a number of trafficking organization leaders.

In its assessment of the CENTAC program, the General Accounting Office (GAO) noted that while the arrest and conviction rate of high-level traffickers was impressive, CENTACs failed to utilize the statutory resources available to attack the assets of those convicted. According to the GAO assessment, DEA lacked experience in financial investigations, and U.S. Attorneys lacked experience in the use of forfeiture statutes. GAO also related that law enforcement agencies felt that the use of such prosecutorial methods was inordinately time-consuming. Finally, GAO noted that asset seizures were not clearly enough established as a critical goal in CENTACs' operational plans.

Coordination of Intelligence Efforts

Coordination of the Federal drug law enforcement effort cannot be restricted to coordination of

enforcement personnel and resources. Intelligence is an essential element of any law enforcement agency and crucial to those coordinating a drug law enforcement effort. For this reason, the El Paso Intelligence Center (EPIC) was founded in 1974. The Center, which was initiated and is administered by DEA, provides tactical intelligence to Federal, State, and local law enforcement agencies around the country. Since 1974, EPIC has grown from a border intelligence unit to a twenty-four-hour-a-day intelligence center, with worldwide capabilities to collect, process, and disseminate information concerning illicit drug trafficking as well as the smuggling of aliens and weapons. This unique cooperative effort is staffed by personnel from the Drug Enforcement Administration; U.S. Immigration and Naturalization Service; U.S. Customs Service; U.S. Coast Guard; Bureau of Alcohol, Tobacco and Firearms; Federal Aviation Administration; U.S. Marshals Service; Federal Bureau of Investigation; and the Internal Revenue Service.

In addition to EPIC, the coordination of Federal drug information systems made additional strides in the 1970s as a direct result of the computer revolution. The Narcotics and Dangerous Drugs Information System (NADDIS), PATHFINDER, and the System to Retrieve Information from Drug Evidence (STRIDE), which were developed by DEA, provide instant access to millions of investigative records from DEA and all Federal, State, and local agencies involved in drug enforcement.

To further expand the sharing of drug intelligence and information, the National Narcotics Intelligence Consumers Committee was established in 1978. This committee, chaired by DEA, includes representatives from the White House and the Departments of Treasury, Justice, Transportation, Health and Human Services, State, and Defense. Representatives from the Central Intelligence Agency and the National Security Agency attend as observers. The Committee is charged with the publication of the annual "National Intelligence Estimate on the Supply of Drugs to the U.S. Illicit Market from Foreign and Domestic Sources."

FBI-DEA Coordination

Another attempt at interagency cooperation involved the creation of the FBI-DEA task forces in 1977. Task forces located in Chicago, New York, and Los Angeles were established to test the feasibility of joint operations. The task forces com-

bined the FBI's expertise in organized crime and conspiracy investigations with DEA's expertise in narcotics investigations. While maintaining jurisdictional authority and utilizing its own investigative techniques, personnel, and information sources, each agency was supposed to supplement its counterpart's efforts.

After two years of operations, the joint task forces were disbanded in 1979, except for the Los Angeles operation, which continued with a small detachment from each agency. According to a GAO report and several critiques of the program, disagreements over investigative techniques and restrictions on case selection were the primary reasons for the failure of the program in two out of three locations.

Early in 1982, the Attorney General responded to the continuing narcotics crisis by reorganizing DEA and making it responsible to the FBI. At the same time, the Attorney General gave the FBI concurrent narcotics and controlled substances enforcement jurisdiction. These actions significantly expanded the personnel and resources available for the war against organized crime and drugs. It was determined that combining the capabilities of the FBI in management and administration with the narcotics investigation expertise of DEA would result in more effective Federal drug enforcement efforts.

Increased experiments—not all successful—in cooperation and coordination were hallmarks of Federal drug law enforcement in the 1970s. Despite all of these efforts, illicit drugs still continued to damage the fabric of American society.

South Florida Task Force

During 1981 and 1982 the State of Florida, particularly South Florida, was beset with a series of circumstances which were unique in American history. Because of its thousands of miles of coastline, hundreds of commercial airports and clandestine airstrips, heavy concentration of international cargo and tourist traffic, the expanding nature of its international banking activities, and its proximity to source countries in South and Central America, South Florida became the avenue for an estimated 70 to 80 percent of all marijuana and cocaine and a significant percentage of methaqualone (Quaaludes) illegally entering the United States.

The intense competition between the smugglers, and rising crime in general, added a particularly sinister aspect to South Florida's crime

problem—the proliferation of illegal automatic weapons. Submachine guns became the weapon of choice for gang warfare and drug-related assassinations. There was also an influx of staggering amounts of criminally obtained U.S. currency into South Florida, which resulted in Miami's becoming a major center for the laundering of billions of dollars through its extensive domestic and international banking community. In short, epidemic drug smuggling, laundering of massive amounts of "narco-bucks," and the use of illegal automatic firearms created a crime crisis in South Florida.

As a result of the leadership of a specially formed citizens group, Miami Citizens Against Crime, South Floridians began to fight back. In the fall of 1981, the community formulated a broad-based response to crime, which it urged upon all levels of government.

On January 28, 1982, President Reagan noted that the Federal Government had a special responsibility in South Florida and that the Federal Government would do what it could to reduce the problem. He established a Federal Task Force comprised of the very highest officials in his Administration and chaired by Vice President Bush. This Task Force includes the Secretaries of State, Defense, Transportation, Treasury, and Health and Human Services, the Attorney General, and Presidential Counselor Edwin Meese III. The South Florida Task Force was created to assist and coordinate Federal efforts with those of State and local authorities in order to reduce crime.

The primary initial objectives of the South Florida Task Force were to reduce significantly the influx of illegal drugs coming through Florida by greatly increasing air, sea, and land interdiction efforts, and to arrest and convict smugglers apprehended in smuggling activities. The principal feature of the Task Force, which added a new dimension to South Florida law enforcement, was the establishment of the DEA-Customs Joint Task Group, which became operational on March 15, 1982. The agreement enhanced the Task Force's ability to interdict and investigate drug-related crime by joining DEA's and Customs' authority and capability for conducting narcotics investigations.*

The Call for the Task Force Program

Because the drug trafficking problem is enormous and the Federal Government has limited

resources for enforcement and prosecution, the Attorney General charged a *pro tempore* committee composed of executive personnel with the responsibility of framing a broader policy and new approaches to the problem of drug trafficking. The study group consisted of the Deputy Attorney General, the Associate Attorney General, and similarly high-ranking personnel from the Treasury Department.

The conclusion reached by the planners was that no single agency could cope with the problem. They also concluded that many previous cooperative ventures, although limited in scope by comparison, provided the promise that agencies can cooperate and that only full-scale teamwork could meet the crisis without unduly impinging on the freedoms of citizens.

In this environment, the Attorney General recommended to the President that a multi-agency task force utilizing a broader spectrum of Federal, State, and local criminal justice agencies be authorized to deal with the problem of drug trafficking in the United States. On October 14, 1982, the President announced a comprehensive eight-point program to attack drug trafficking and organized crime. The Organized Crime Drug Enforcement Task Force Program was proposed as the keystone of this new Federal initiative. Concurring with the President, Congress authorized the necessary funds for the Task Force Program in December 1982.

* Another major effort against the national narcotics problem was announced by the White House in March 1983, several months after the creation of the Task Force Program. The National Narcotics Border Interdiction System (NNBIS) was created and charged with coordination and dissemination of intelligence pertinent to interdicting drugs crossing U.S. borders. Six NNBIS Centers, headed by Customs and Coast Guard personnel, gather and coordinate information. NNBIS was conceived and initiated in part because of the South Florida Task Force's success in closing the traditional avenues of smuggling. Other Federal agencies serve as members of the NNBIS staff and provide liaison personnel and intelligence analysts for follow-up on cases within their own agencies. Liaison with State and local law enforcement has also been established, which facilitates the gathering and analysis of intelligence information relative to interdiction matters.

The Task Force Concept

Purposes and Principles of the Task Force Program

The previous chapter describes the situation in mid-1982—the widespread availability of drugs, the role of organized crime in narcotics operations, and the status of law enforcement activities. Despite efforts of law enforcement agencies, narcotics trafficking was flourishing. The traditional approach to drug enforcement had had minimal impact on the major organizations responsible for narcotics trafficking.

The traditional approach commonly starts with the arrest of a street-level pusher. An enforcement officer buys a drug from the pusher, arrests the pusher, and tries to identify the source of supply. Successive efforts are made to reach higher levels of the organization. Those efforts have limited success, however. The organizations are too complex; the costs in time and money are more than most agencies can afford; and the drug organizations extend beyond the boundaries of a single agency.

When there is success from this approach, it is often short-lived. Criminal organizations have demonstrated remarkable powers of regeneration for developing new appendages to replace those shorn off by law enforcement. In order to destroy the entire organism, the concept of the Organized Crime Drug Enforcement Task Force Program was developed. The Task Force Program was to integrate the capabilities of Federal investigative and prosecutorial agencies and maximize the use of such sophisticated and effective techniques as financial investigations in addition to using traditional methods.

Coordinating Efforts

The Task Force Program constitutes a nationwide structure which combines agencies' resources and techniques in concentrated, long-term operations designed to attack and destroy narcotics trafficking organizations. Effective and comprehensive attacks on major drug organizations are often beyond the capacity of a single agency. Agencies working together can accomplish things that the

same agencies working separately cannot. A multifaceted attack on drug organizations requires many kinds of expertise, combined into a comprehensive and orchestrated investigation. Thus, for example, by uniting the physical and electronic surveillance abilities of the Federal Bureau of Investigation, the undercover skills of the Drug Enforcement Administration, the tax and financial knowledge of the Internal Revenue Service, the resources of the U.S. Customs Service for tracking international movements of people and funds, and intelligence gained from U.S. Coast Guard maritime activities, the full forces of the drug enforcement community are brought to an investigation. The Task Force Program further broadens this base with the local intelligence resources of State and local law enforcement agencies and adds to the impact by utilizing attorneys' skills at an early stage of investigation. Joining such diverse abilities and resources is the underlying thrust of the Task Force Program.

Developing a Model and Principles

The idea of a task force is not a new or radical concept. A number of models have been tried in the field of narcotics enforcement. Several cooperative task force efforts were under way in 1982. Exciting things were being accomplished by Operation CITADEL in Detroit; a financial investigative task force in South Carolina was making significant breakthroughs; and numerous cities were experimenting with cross-designations and different task force configurations. What was needed was an approach that would generate a national program by building on the successful models and avoiding the shortcomings of others.

The designers of the Task Force Program looked carefully at existing and preceding task force models and devised guiding principles that could support the concept and enhance its chances of maximum success. First, the Task Force Program was to be national in scope. The pervasiveness of the drug problem, the mobility of the traffickers, and the magnitude of their organizations are such that localized responses would be insufficient. For

example, drug dealing organizations reacted to the concentrated law enforcement efforts in South Florida by quickly and simply dispersing their operations to other parts of the country. The Task Force Program had to blanket the nation in order to respond effectively to organizations capable of operating across jurisdictional, State, and national boundaries.

Second, it was agreed that the Task Force Program should create a structure that would facilitate numerous agencies acting in concert to attack a common problem. The agencies involved have varying methods of operation, different jurisdictional limits and prerogatives, and, in some instances, histories of institutional rivalries or jealousies. Such institutional differences were the shoals on which previous joint efforts foundered. The traditions and attitudes that had been established over many years could not be expected to disappear overnight or by fiat. In order to prevent diverse institutional attitudes from blocking a cooperative effort, a consensus model was adopted. The consensus approach is not always the most efficient and has other potential drawbacks. But, in order to ensure maximum commitment and cooperation on the part of all participating agencies, a consensus-based decision-making process was to be installed in the Task Force Program, from the national level through to the district or even case levels.

Third, the Task Force Program had to avoid creating a new bureaucracy. Participants in the Task Force Program were to retain their own organizational affiliation and identity as well as access to their agencies' records and resources. Utilization of existing organizational resources would contribute to the speed of start-up, with minimal disruption to other operations. The Task Forces would be supported from Washington by a small administrative unit and by participating agencies. The formation of the Task Force Program was not to diminish the roles and responsibilities of existing agencies, nor create any new, elite enforcement agency. Such new creations in the past often had had a negative effect on the cooperation and morale of existing agencies.

Fourth, the Task Force Program was to be highly decentralized so that each element could respond appropriately to challenges. This flexibility would allow Task Forces to use available resources in the manner most appropriate for a given locality. The primary decision-making roles would be in the field, not in Washington.

Finally, the Task Force Program had to have the quickest possible start-up. The focus on high-level targets dictated that Task Force operations would be long-term. Nevertheless, the Task Force

Program had to move rapidly into an effective operational posture because the drug trafficking problem was enormous.

Overview of the Task Force Program's Structure

These guiding principles were the building blocks of the Task Force Program concept and are integrated into the structural and operational design of the Task Force Program. The premise of this design is that devoting enhanced Federal resources to the investigation of high-level traffickers—by improving coordination and integrating the activities of Federal investigative and prosecutorial agencies on selected cases—will constitute a more effective law enforcement effort.

As announced by President Reagan, the Task Force Program comprises twelve regional Task Forces covering all of the country except Florida, where the South Florida Task Force has been operating since January 1982. (The map on page 31 indicates the location of the twelve Task Forces.) Participating Federal agencies include the U.S. Attorneys' offices, the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the U.S. Customs Service, the Bureau of Alcohol, Tobacco and Firearms (ATF), the Internal Revenue Service (IRS), the U.S. Coast Guard, and the U.S. Marshals Service. In each Task Force the U.S. Attorney at the regional headquarters, known as the core city, is accountable for overall Task Force performance. The Task Force Coordination Group, composed of representatives of the participating agencies, coordinates Task Force operations within the Task Force Region. The Task Force elements in each Federal judicial district other than the core city are monitored and assisted by the District Drug Enforcement Coordination Group. The Task Forces operate in accordance with the *Guidelines for the Drug Enforcement Task Forces*.

Some 1,200 Assistant U.S. Attorneys and investigative agents are allocated for full-time participation in the Task Forces. Task Force attorneys and agents remain under the direct supervision of their respective agencies, but they conduct investigations jointly with other Task Force agents and attorneys.

The Task Force appropriation for FY 1983 was \$127.5 million (see Appendix C for an explanation of Task Force Program budget allocations). This includes the personnel costs of the agents, attorneys, and support personnel; special funds for equipment, expenses, and information or evidence purchases; funds for reimbursement to State and local agencies for travel and per diem costs and for overtime activities in support of Task Force cases; and funds for expanding correctional facilities.

At the national level, the Associate Attorney General chairs the Organized Crime Drug Enforcement Task Force Working Group (OCDETF Working Group), which formulates policy and monitors the Task Force Program. The OCDETF Working Group is composed of representatives of all the participating agencies. A small Task Force Administrative Unit, located in the Office of the Associate Attorney General, supports the Task Force Program.

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Linkages Between Objectives, Activities, and Missions

The goal of the Task Force Program is to destroy the operations of organizations engaged in drug trafficking in this country. The Task Forces' objectives are specified in the *Guidelines for the Drug Enforcement Task Forces* as follows:

1. To target, investigate, and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking enterprises, including large-scale money laundering organizations;
2. To promote a coordinated drug enforcement effort in each Task Force area and to encourage maximum cooperation among all drug enforcement agencies;
3. To work fully and effectively with State and local drug enforcement agencies; and

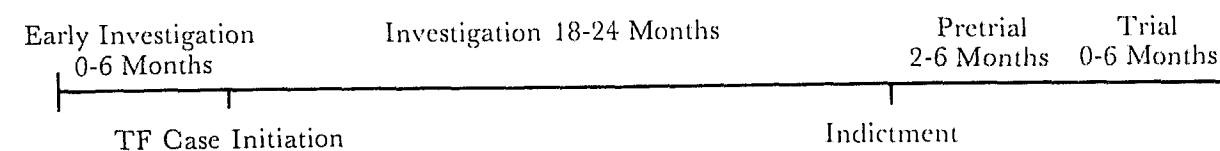
4. To make full use of financial investigative techniques, including tax law enforcement and forfeiture actions, in order to identify and convict high-level drug traffickers and enable the government to seize assets and profits derived from high-level drug trafficking.

Early in 1983, about 200 cases were selected as Task Force cases. They had been initiated by participating agencies in 1982 or even earlier. By March 1983, the Task Forces had begun originating their own cases, selected according to criteria in the *Guidelines*. By early summer, there were 260 active cases. The total number grew to 467 by year's end.

By their nature, major drug cases are long-term undertakings. Exhibit 1, based on Department of Justice estimates, illustrates the timing of a typical case.

Cases require varying amounts of time for completion. The original 200 Task Force cases were already at varying stages of development when they became Task Force cases. Hence, the 467 first-year cases fall at different points on the case time-line. Though a few cases have run their course, most are still approaching completion. There is a considerable time lag before the program's activities are converted into results. Only two cases have been closed as completed; 260 sentences have been reported. Most of the cases continue. Since the time frame for an average major drug trafficking case is from twenty to forty-two months, the achievement of program goals cannot be measured by the first twelve months of the Task Force Program's operation.

Exhibit 1 Time Frame for Major Drug Cases



Statistical indications relating to Task Force Program benchmarks are given elsewhere in this report.* To date the Task Force Program has 467 cases, with some 2,072 *principal* potential defendants. Twenty-six percent of Task Force cases have resulted in one or more indictments, against a total of 1,232 individuals. Many of these cases contain continuing investigations, frequently against the major potential defendants.

Statistics are only one indication of activities that are moving the Task Force Program toward its objectives and goals. The Task Force Program challenge is to ensure that its activities will eventually lead to the achievement of its long-term goals. Though statistical indicators are not yet valid measures of the Task Force Program's progress toward completion of its mission—the effective attack on significant drug trafficking organizations—a different kind of success is apparent. The Task Force Program is successfully converting principles and objectives into structure and operations and, by achieving this, is directing activities toward defined goals.

Guidelines and Procedures

The content of the *Guidelines for the Drug Enforcement Task Forces* and their development process illustrate both the high achievement and the cooperative philosophy of the Task Force Program. The *Guidelines* were intended to assist U.S. Attorneys, Special Agents in Charge (SACs) for Task Force agencies, and other investigative and prosecutorial personnel in establishing and operating the regional Task Forces.† Within thirty calendar days of the President's announcement of the Task Force Program, the first draft of the *Guidelines* was developed and ready for dissemination. Input was requested from members of the OCDETF Working Group, agency representatives, U.S. Attorneys, SACs, and agents and prosecutors in the field.

The promulgated *Guidelines* present standards and procedures which are sufficiently broad and flexible to allow for individual Task Forces to

* Exhibit 6, p.103, illustrates the relationship between the number of cases selected by the Task Forces, the number in which indictments have been returned, and other benchmarks of the Task Force Program's first year.

† The senior supervisory personnel of investigative agencies' offices have a variety of titles. Since several are called Special Agent in Charge, for simplicity they are all referred to in this report by the acronym "SAC."

develop in a manner that meets the special needs of their areas. The standards and procedures are, however, sufficiently structured and uniform to ensure that the fundamental purposes of the Task Force Program are served and that Task Force resource expenditures can be monitored and assessed.

The *Guidelines* establish the program goals of identifying, investigating, and prosecuting high-level members of drug trafficking enterprises, and the dismantling of their organizations. The regional Task Forces are charged with focusing on cases involving members of major drug trafficking organizations, particularly:

- Traditional organized crime figures;
- Other organized criminal groups (e.g., street gangs, prison groups, major outlaw motorcycle gangs, etc.); and
- The professionals—individuals and organizations that are importing and/or distributing large amounts of controlled substances, or are financing the fore-going; and physicians or pharmacists illegally dispensing substantial quantities of prescription drugs.

The *Guidelines* delineate the structure of the Task Force Program. For the national program components they describe the OCDETF Working Group and the Task Force Administrative Unit. The *Guidelines* also describe the field operations of the Task Force Program. Each of these program elements is described in greater detail later in this report.

The *Guidelines* state that each of the twelve regional headquarters cities (core cities) should establish a separate Task Force office which should include the Assistant U.S. Attorney Task Force Coordinator and the Agency Task Force Coordinators from each of the participating investigative agencies. These shall comprise the Task Force Coordinating Group. They further direct that all designated Task Force agents and attorneys should be senior personnel from their respective agencies and that administrative staffs should be kept small.

The non-core, district cities are not intended to have separate Task Force offices or any administrative staff. Instead, each district is to establish a District Drug Enforcement Coordination Group, consisting of the U.S. Attorney, the investigative agency Task Force SACs, and a representative of State and local law enforcement. This group is to coordinate Task Force and non-Task Force drug cases in the district and is to work

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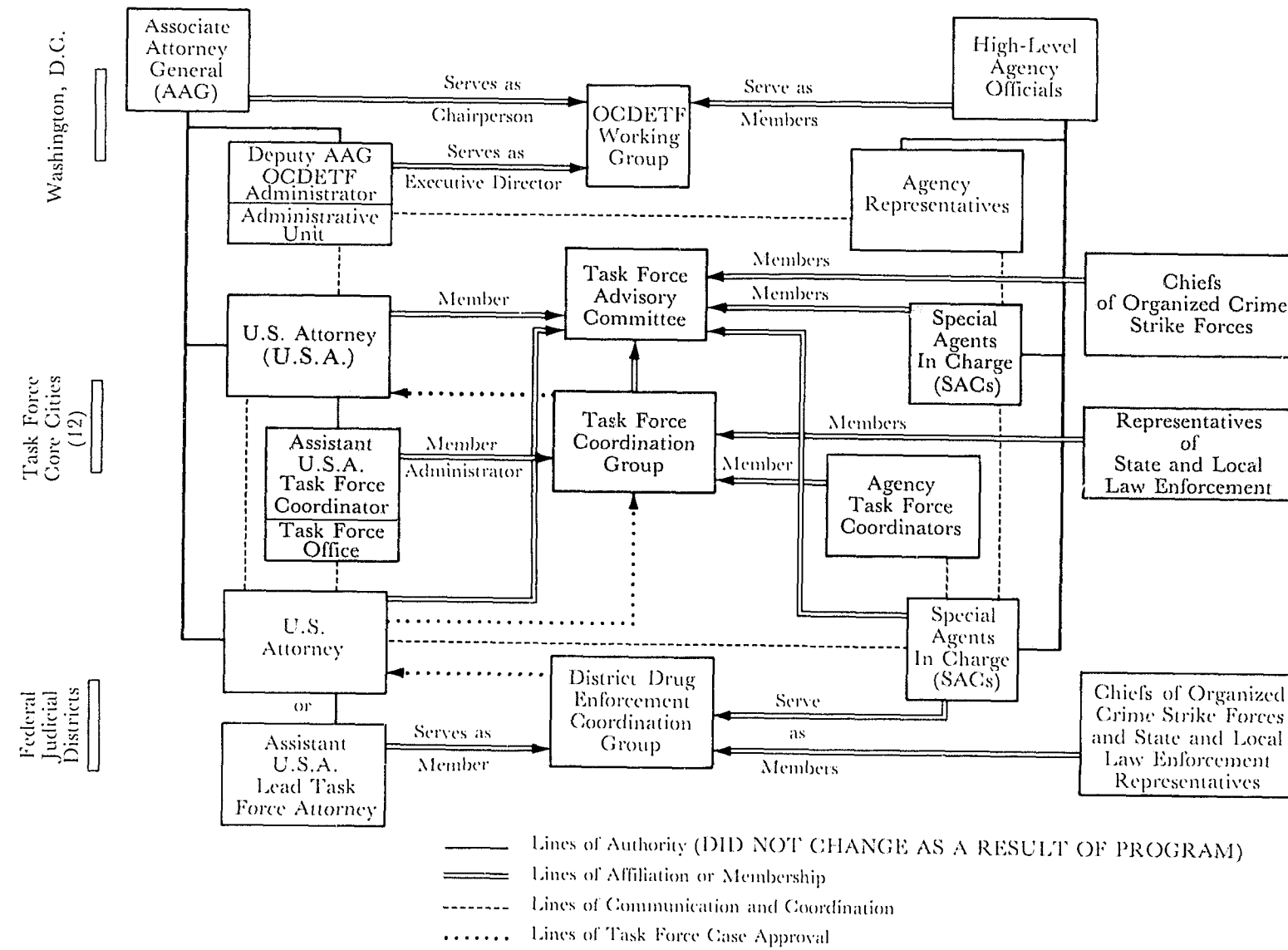
in close conjunction with the district Law Enforcement Coordinating Committee.

The *Guidelines* also discuss Task Force procedures. Initial Task Force case selection included case approval in Washington. From that point on, case selection would be done entirely in the field. The process of case selection is described in further detail in Chapter 4.

As had been envisioned by the drafters of the *Guidelines*, each of the twelve Task Forces would operate in the manner most appropriate for the unique situation within its jurisdiction. Thus the *Guidelines* are viewed not as a bureaucratic strait-jacket into which each Task Force must snugly fit, but as the polestar by which the development of Task Forces might be guided.

Exhibit 2 The OCDE Task Force Program

Organized Crime Drug Enforcement Task Force Program Annual Report



The Task Force Program in Washington, D.C.

Structure of the Policy-Making and Administrative Elements

The Task Force Program is a decentralized system, where operational control is localized and administrative functions are conducted to the greatest possible extent through existing departmental and agency systems. This decentralization has eliminated the need to create new and elaborate structures. With the exception of an administrative unit, the national program is guided by committees comprising representatives of existing cognizant Federal departments and agencies. The functions performed in Washington are clearly limited to broad-scale policy formation, program oversight, national record keeping, administrative support, and last-resort problem solving. The Washington elements of the Task Force Program are described below. (Also see Exhibit 3.)

The Cabinet Council on Legal Policy and the Working Group on Drug Supply Reduction

The Cabinet Council on Legal Policy, chaired by the Attorney General, is charged with review of national policies, interagency coordination, and intergovernmental cooperation. The committee is supported by the Working Group on Drug Supply Reduction, chaired by the Associate Attorney General. (The membership list of the Working Group on Drug Supply Reduction is provided in Appendix E of this report.)

The Organized Crime Drug Enforcement Task Force Working Group

The Organized Crime Drug Enforcement Task Force Working Group (OCDETF Working Group) is also chaired by the Associate Attorney General. The OCDETF Working Group is composed of ranking officials from Justice, Transportation, and Treasury agencies. (See Appendix F for a complete roster of OCDETF Working Group members.) The OCDETF Working Group is responsible for articulating policy and coordinating the development and maintenance of the Task Force Program. The OCDETF Working Group

serves as the dispute resolution forum for those issues which could not be resolved at the regional or district levels. Members of the Working Group also provided significant assistance to the Attorney General during the Task Force Program resource allocation and guidelines development processes.

The Washington Agency Representatives Group

The OCDETF Working Group is supported by the Washington Agency Representatives Group. (See Appendix G for a roster of its members.) This group provides problem resolution research for the Working Group, such as background and options papers. During the initial stages of Task Force Program development, the agency representatives were meeting as often as twice a week. Currently, monthly meetings are scheduled. The agency representatives often coordinate day-to-day Task Force activities within their own agencies and among others. The Washington Agency Representatives Group was instrumental in the drafting of the *Guidelines* and in the process of Task Force resource allocation.

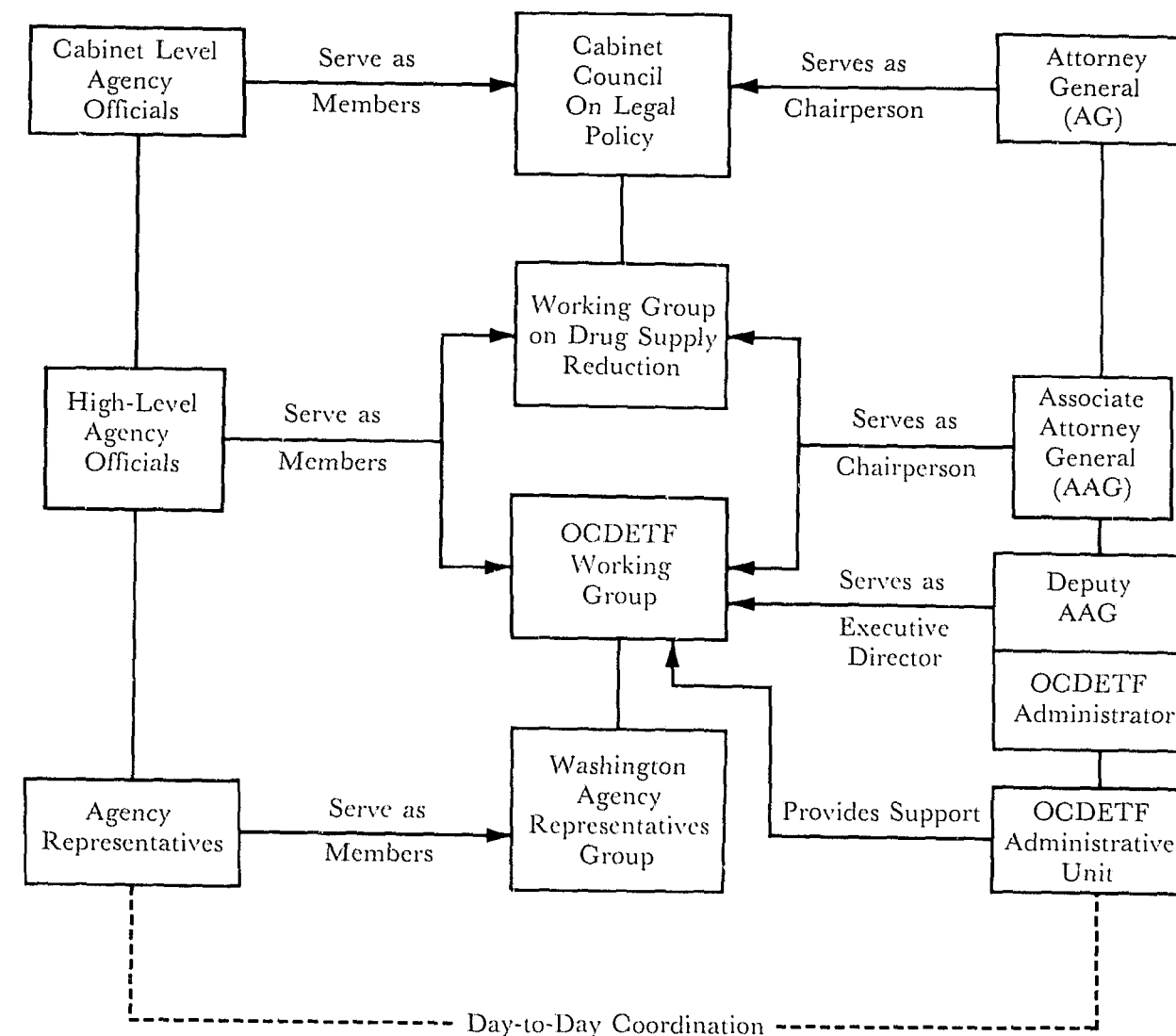
The Task Force Administrative Unit

The Deputy Associate Attorney General supervises the Task Force Administrative Unit while also serving as the Task Force Program Administrator and the Executive Director of the OCDETF Working Group. The Administrative Unit is responsible for reviewing structural and operational guidelines, establishing and monitoring the Program's case reporting system, coordinating the national program on a daily basis, and assisting the regional Task Forces.

Agency Interaction and Coordination

Over the years, the agencies participating in the Task Force Program have worked together successfully on many significant narcotics and other

Exhibit 3
Structure of the Washington Elements
of the OCDE Task Force Program



criminal justice activities. Efforts include the South Florida Task Force, the Financial Investigative Task Forces, and the joint activities of the Drug Enforcement Administration (DEA) and the Federal Bureau of Investigation (FBI) resulting from the designation of concurrent drug investigative jurisdiction in January 1982. There have been times, however, when interagency differences over leadership and jurisdiction have resulted in lost opportunities and less-than-optimal outcomes.

During the early months of Task Force activities, agency field personnel looked to their Washington headquarters to provide much of the general direction, sense of commitment, and operational guidance required to translate the language of the *Guidelines* into functioning Task Forces. While the experienced investigators and attorneys have been able to resolve in the field most details of investigations and prosecutions, they have relied on Washington to address any longstanding problems of interagency conflict and jurisdiction which had often hindered previous multi-agency efforts. And, to a degree surprising to many of those involved, there has been significant progress in this area.

Two major issues concerning agency jurisdiction and cooperation have emerged, been considered, and been resolved at the national level—the question of designating Title 21 authority to the U.S. Customs Service and the issue of whether and how to designate a lead agency to provide overall direction and leadership on Task Force cases. Examining these two issues is instructive both for what it reveals about the content of the key issues themselves—Who is allowed to do what? Who is in charge?—and for what it reveals about the process of Task Force conflict resolution, the role of the OCDETF Working Group, and the willingness of participating agencies to compromise for the benefit of overall Task Force operations.

Title 21 Designation

The genesis of the Title 21 question can be traced back a decade to Reorganization Plan No. 2 of 1973. This Plan, in an attempt to provide more effective coordination of the Federal law enforcement effort, transferred major authority for narcotics investigation, intelligence gathering, and law enforcement to the Attorney General while explicitly retaining within the Department of the Treasury functions related to narcotics searches and seizures along the nation's borders. Despite attempts by Customs and DEA to clarify roles and jurisdictions under the reorganizations, the somewhat confusing language of the Plan—and the

rivalries which emerged when the agencies were confronted with apparently overlapping mandates—hindered efficient joint operations.

In developing a Task Force Program model that would enhance interagency cooperation, the question of how to facilitate effective DEA-Customs interaction came to the fore. By the end of summer 1983, Task Force participating agencies recognized that a resolution of this issue was critical to effective case operations in the field and to demonstrating that DEA and Customs could settle a long-term problem. Failure here would call into doubt the viability of the Task Force concept and strengthen the suspicion of some agencies that their roles and contributions would not be valued.

During the late summer and early fall of 1983, agency position papers were presented and the issue was discussed within the participating agencies and among their representatives. At the same time, the agency heads at the OCDETF Working Group level were addressing the debated points through a series of interagency meetings. In early December, prior to a meeting of the OCDETF Working Group which had this issue on its agenda, the heads of DEA and Customs met with the Associate Attorney General and the Assistant Secretary of the Treasury for Enforcement and Operations to resolve the Title 21 question. Out of this meeting, and a subsequent meeting of the OCDETF Working Group, emerged a draft "Request for Assistance" from the Attorney General to the Secretary of the Treasury. This document delegates authority to the DEA Administrator to grant specific U.S. Customs agents and investigators, under the supervision of DEA personnel and for a designated time period, the powers to:

- Conduct investigative, intelligence gathering, and law enforcement activities related to the suppression of illicit drug trafficking;
- Execute and serve search, arrest, and other relevant warrants as provided by law; and
- Make certain arrests without warrants and seizures of property as specified in the Controlled Substances Importation/Export Act.*

* It should be noted that this agreement is not limited to Task Force cases.

On January 5, 1984, the issue was settled when the Attorney General signed the "Request for Assistance and Authorization Respecting Drug Enforcement Activities of Certain Customs Officers in Domestic Drug Investigations." While it is certainly true that a decade of conflicting views cannot be overcome immediately by a stroke of the pen and that actual implementation of the agreement in the field must precede final judgment, it is apparent, even now, that the promulgation of this "Request" represents an outstanding accomplishment, made possible largely by the Task Force Program. By assisting in the settlement of this dispute, the participating departments and agencies have demonstrated their commitment to the Task Force concept. They have given the Task Force investigators and prosecutors in the field greater flexibility and a new weapon with which to fight the drug rings. They have given their own personnel the clear message that the President's call for interagency coordination in the pursuit of the Task Force mission shall be achieved.

The Lead Agency Question

After much debate, it was decided that no single agency should be designated as the lead Task Force agency. This was done for both operational and organizational reasons. From a case management perspective, being able to designate a lead case agent for each case as it is brought in and developed rather than predetermining a lead allows Task Forces the flexibility to assign case leads which are most fitting to the nature of each investigation. It also allows for a change of lead if the nature of the case changes as, for example, when what began as essentially a firearms case evolves into a financial investigations case. From an organizational standpoint, designation of a single lead agency would make it difficult to maintain morale and a spirit of cooperation in participating agencies that never assumed the lead function and whose agents had to repeatedly turn over promising leads and lines of investigation.

As plausible as these points appear, there are also persuasive arguments in favor of a designated lead. One could argue, for example, that, since all Task Force cases involve narcotics violations, the DEA—with its unique authority, expertise, and level of Task Force resources—together with the FBI would be the most effective overall lead. These agencies could call upon the skills and resources of the other Task Force participants as necessary. Another suggestion posed by some of the participating agencies with fewer Task Force personnel has been to strengthen the position of the Assist-

ant U.S. Attorney Task Force Coordinator to serve as lead, assuming something of an impartial stance toward the various agencies. This view is firmly opposed by agencies which hold that investigative rather than prosecutorial agencies should retain professional control of intelligence gathering and investigative functions.

Of course, leadership and coordination of cases must be provided. The Task Force model allows for this designation to occur in the field. In most instances, the agent who brings in the case becomes the lead or coordinating agent. Any disputes or changes in this function are resolved by the Agency Task Force Coordinators. The Task Force model anticipates that the experienced personnel assigned to Task Force duties will understand the requirements of each case and that, in most instances, a consensus on case leadership and management can be achieved. And, in fact, this seems to be occurring.

The "who's in charge" question is certainly central to any discussion of agency interaction. The Task Force model as developed in the *Guidelines* is implementing a way of working together which allows for flexibility and for each agency to retain its individual structure and line of authority. While not a familiar model, it is one which appears to be working to achieve the necessary level of coordination without spawning a new bureaucracy or placing one participating agency above the others. The continuing willingness of the agencies to work within a Task Force structure which promotes cooperation and consensus decision making rather than single agency self-interest is further evidence of the viability of the model.

Working Toward Coordination

Interagency relations at the national level are influenced by politics, history, and the pragmatics of getting the job done. Each participating agency must balance its commitment to the Task Force concept with its fundamental mission. Some competition and rivalries will inevitably develop between highly competent and motivated organizations which must navigate within common and often murky jurisdictional waters. Yet in spite of all this, and a Task Force design which places minimal constraints on the participating agencies, coordination at the national level is working. Issues are transmitted either up the chain of command in the field or from the headquarters themselves and are addressed by the agency representatives and OCDETF Working Group. Once resolved, these overall policy decisions are communicated back to the field to guide program operations.

The process of issue resolution is a complicated one. While program operation questions can be answered by agency representatives once direction is given by the OCDETF Working Group, major policy issues must be addressed by agency heads. Not surprisingly, much of the give-and-take on this level occurs in smaller meetings and conversations rather than in heated debates at OCDETF Working Group sessions.

While it is far too early to pronounce final judgment on agency cooperation, the signs are quite encouraging. The Task Force agencies are putting aside their parochial concerns in favor of the overriding national goal of more effective drug enforcement and this, if it continues, can create the organizational climate which will enable the Task Force Program to succeed in its mission.

The Task Forces in Field Operations

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There are three entities within the Task Force Program's field structure: twelve Task Forces or Task Force Regions, the districts, and the core cities. The Task Force Regions are administrative and reporting units, not operational entities. Each Region comprises two or more Federal judicial districts. The core city is one of the several districts in a Task Force Region, distinguishable by the fact that it is the locus of the Task Force Coordination Group for the Region. The non-core city districts are the remaining judicial districts within a Task Force Region.* The Task Force Regions and districts are listed in Exhibit 4.

The following describes the elements of the Task Force Regions, their organizational structure, their relationship to one another, some examples of how they operate, and some of the difficulties they encounter.

The Task Force Regions

The Task Force Program is divided into twelve Regions, each of which encompasses a number of Federal judicial districts. The smallest number of districts in a Task Force is two (Los Angeles/Nevada Task Force) and the largest number is twelve (Southeast and South Central Task Forces). One district within each Task Force Region is designated as the "core city." (See Exhibit 5 for the location and configuration of the twelve Task Forces and their Regions.)

The Core City U.S. Attorney

The senior official responsible for the overall performance of a Task Force is the U.S. Attorney for the Federal judicial district in which the core city is located. The U.S. Attorney is accountable for Task Force activities to the Associate Attorney General, and is responsible for establishing a Task Force Advisory Committee and a Task Force Coordination Group. While core city U.S.

Attorneys are responsible for coordination of activities within their Region, they have no line authority over any attorneys outside of their own districts.

The Task Force Advisory Committee

The core city U.S. Attorney chairs the Task Force Advisory Committee; committee members are the other regional U.S. Attorneys, the Assistant U.S. Attorney Task Force Coordinator, the Agency Task Force Coordinators, the regional Task Force agency Special Agents in Charge (SACs), and the regional Organized Crime Strike Force Chief(s). This committee has general responsibility for oversight of the Task Force, including guidance on policy and procedures within the framework of the *Guidelines*. It must monitor Task Force cases and adjust resource allocations in response to the needs of each case. The frequency and nature of the meetings of these committees vary considerably from one Task Force to another. For example, some committees can be unwieldy in size. In the Southeast Task Force, the full committee would be composed of some thirty people. Therefore, much of the business of the Advisory Committee is managed through informal consultation on an individual basis, rather than in plenary meetings.

The following examples illustrate the kind of coordinative activities core city U.S. Attorneys often, but not always, carry out in conjunction with the Advisory Committee:

- In most of the larger Regions, the core city U.S. Attorney convenes meetings and the Task Force U.S. Attorneys from the districts attend. The core city U.S. Attorney in Detroit rotates the location of meetings, so that other Great Lakes Task Force U.S. Attorneys have the opportunity to serve as host. This enhances the level of regional Task Force participation by U.S. Attorneys in the districts.
- Some core city U.S. Attorneys have adjusted personnel allocations within

* For the sake of clarity, this report uses the term "core city" to refer to the core city district, and "district" to refer to the non-core city districts.

Exhibit 4
Task Force Regions and Districts

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<u>Task Force</u>	<u>Core City</u>	<u>Number of Districts</u>	<u>Judicial Districts Included</u>
Great Lakes	Detroit	8	Kentucky, Eastern District Michigan, Eastern District Michigan, Western District Ohio, Northern District Ohio, Southern District Pennsylvania, Western District West Virginia, Northern District West Virginia, Southern District
Gulf Coast	Houston	8	Louisiana, Eastern District Louisiana, Middle District Louisiana, Western District Mississippi, Southern District Texas, Northern District Texas, Eastern District Texas, Southern District Texas, Western District
Los Angeles/ Nevada	Los Angeles	2	California, Central District Nevada
Mid-Atlantic	Baltimore	7	Delaware District of Columbia Maryland Pennsylvania, Eastern District Pennsylvania, Middle District Virginia, Eastern District Virginia, Western District
Mountain	Denver	8	Colorado Idaho Montana Nebraska and Iowa North Dakota South Dakota Utah Wyoming
New England	Boston	8	Connecticut Maine Massachusetts New Hampshire New York, Northern District New York, Western District Rhode Island Vermont

Exhibit 4
Task Force Regions and Districts (Cont.)

29

<u>Task Force</u>	<u>Core City</u>	<u>Number of Districts</u>	<u>Judicial Districts Included</u>
New York/ New Jersey	New York	3	New Jersey New York, Eastern District New York, Southern District
North Central	Chicago	9	Illinois, Central District Illinois, Northern District Indiana, Northern District Indiana, Southern District Iowa, Northern District Iowa, Southern District Minnesota Wisconsin, Eastern District Wisconsin, Western District
Northwest	San Francisco	8	Alaska California, Eastern District California, Northern District Guam Hawaii Oregon Washington, Eastern District Washington, Western District
South Central	St. Louis	12	Arkansas, Eastern District Arkansas, Western District Illinois, Southern District Kansas Kentucky, Western District Mississippi, Northern District Missouri, Eastern District Missouri, Western District Oklahoma, Northern District Oklahoma, Eastern District Oklahoma, Western District Tennessee, Western District
Southeast	Atlanta	12	Alabama, Middle District Alabama, Northern District Alabama, Southern District Georgia, Middle District Georgia, Northern District Georgia, Southern District North Carolina, Eastern District North Carolina, Middle District North Carolina, Western District South Carolina Tennessee, Eastern District Tennessee, Middle District

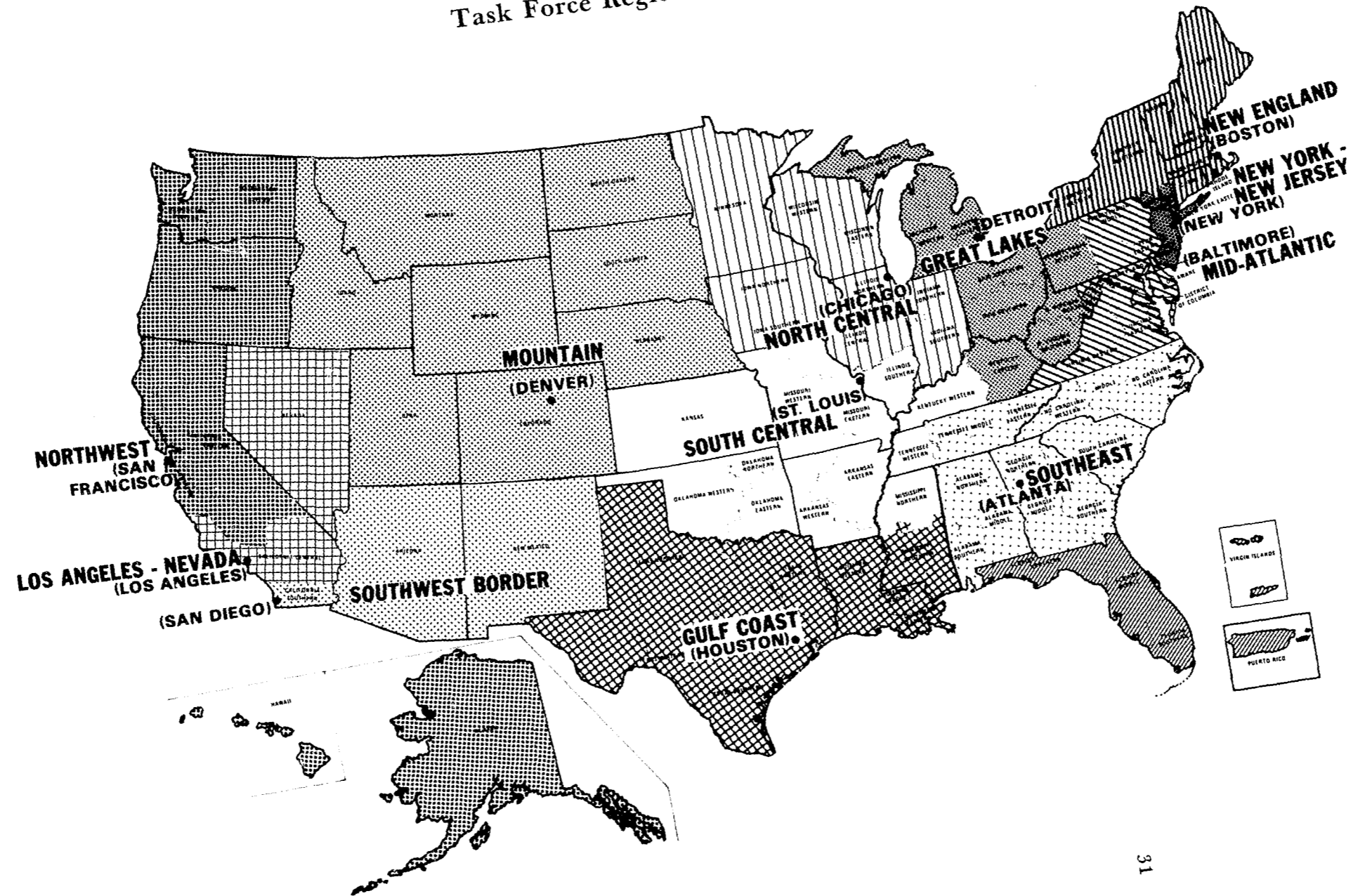
Exhibit 4
Task Force Regions and Districts (Cont.)

<u>Task Force</u>	<u>Core City</u>	<u>Number of Districts</u>	<u>Judicial Districts Included</u>
Southwest	San Diego	3	Arizona California, Southern District New Mexico
Florida*		5	Florida, Northern District Florida, Middle District Florida, Southern District Puerto Rico Virgin Islands

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* The South Florida Task Force remains a separate entity. Given the extent to which NNBIS and other South Florida Task Force elements have developed, the Department of Justice is including, in its 1985 budget request, funds for a thirteenth Task Force. The five districts comprising this Task Force are the Northern, Middle, and Southern districts of Florida; the Virgin Islands; and Puerto Rico.

Exhibit 5
Task Force Regions Map



their Task Forces. Baltimore (Mid-Atlantic Task Force) assisted two Pennsylvania districts in rearranging their allocations, and even reallocated two Baltimore Assistant U.S. Attorney positions to Pennsylvania, in order to arrive at a more effective distribution.

- Quarterly meetings in Chicago are attended by all of the North Central Task Force U.S. Attorneys and the Lead Task Force Attorneys from the Region. This exchange of information serves to solve common problems. In addition, the Assistant U.S. Attorney Task Force Coordinator visits all the districts to review the Task Force Program's organization and operation.

The Task Force Coordination Group

The Task Force Coordination Group is the central administrative element for each Task Force. It is composed of the Assistant U.S. Attorney Task Force Coordinator; one representative from each of the participating Federal investigative agencies, the U.S. Coast Guard, and the U.S. Marshals Service; and representatives from other appropriate agencies, such as State or local law enforcement agencies or other Federal entities. The Coordination Group serves all districts within a Task Force. Its functions are to:

- Evaluate cases proposed for Task Force selection, review the use of Task Force resources and ensure appropriate utilization throughout the Region, resolve any problems of cooperation among personnel from different agencies, and monitor changes in drug trafficking patterns in the Region;
- Meet regularly with State and local law enforcement officials from all parts of the Region and ensure that Federal, State, and local law enforcement officials are coordinating information and operational activities of Task Force interest; and
- Designate agent and attorney specialists within the Task Force, including specialists in forfeiture, financial investigations, tax violations, and drug diversion.

The Assistant U.S. Attorney Task Force Coordinator is responsible to the U.S. Attorney for establishing the Task Force office and for supervising the administrative operations of the Task Force Coordination Group. These Coordinators are senior prosecutors with substantial experience in drug cases.

The Task Force Coordination Group serves the needs of all the districts within a Task Force Region. The nature and extent of the services vary considerably from Task Force to Task Force, often according to the Region's size and its level of narcotics law enforcement activity. Most members of the Coordination Groups visit the districts in their Regions periodically. For some, the first round of visits served primarily as an introduction to the roles and relationships of the Task Force participants, and an exposition of Task Force operational orientation. Subsequent visits serve as occasions for reviewing active cases, monitoring resource needs and allocations, and exchanging views on administrative and operational matters.

There is also a continuous exchange of information about coordinated activities on an individual basis. Agency Task Force Coordinators in the core city are called upon to assist districts by providing additional personnel on a temporary basis in response to an operational need, for instance, or to facilitate and expedite investigative support or operational approval from their respective agencies. Some examples are the following:

- Both the DEA and FBI have Task Force funds for the purchase of information and evidence. These funds are often channeled through the Task Force DEA and FBI Coordinators in each core city. Illustrative of this support role is the instance in which the Mid-Atlantic DEA Coordinator, in Baltimore, assisted the Roanoke, Virginia, Task Force office in obtaining a substantial quantity of buy money for an operation.
- When a North Carolina case developed a need for a surveillance team, the problem was shared with the Southeast Task Force Coordination Group in Atlanta. Atlanta canvassed Task Force agencies throughout the Region. Unable to locate Task Force personnel who could readily respond, Atlanta arranged for assistance from a non-Task Force FBI surveillance squad.

- A minor figure in a Detroit Task Force case lives in Southern Ohio. He also deals with a drug organization in Wheeling targeted by the West Virginia Task Force office. Both the Wheeling and Detroit offices report that the level of collaboration and coordination has been far superior to what might have taken place in pre-Task Force days. This success has helped in avoiding duplication of effort and the kind of problems that would result from uncoordinated activity when investigating the same or closely related targets.

A major responsibility of each Task Force Coordination Group is the review of cases submitted by Task Force districts for selection and designation as Task Force cases. It is the responsibility of the Coordination Group to review, analyze, and assess the proposed cases.

The case selection process and the continuing review of cases from the districts inevitably provide the core city Coordination Group with an advantage over its district counterparts. Coordination Group members have the responsibility to review the case materials from all the districts and to spot overlaps, potential problems, or other elements that may affect the Region's operations.

While Task Force Regions are administrative and reporting units rather than operational units, the creation of these Regions has resulted in enhanced collaborative efforts and shared casework within the Regions. Major elements of a case may be located in adjoining jurisdictions within a single Task Force Region. The sharing of information and goals among Task Force participants within a Region creates a unified approach to the investigation and prosecution of these cases.

In the Southeast Task Force, the Coordination Group found that two cases from the Northern District of Georgia overlapped heavily with active cases in other districts. In one case, the Northern District of Georgia yielded primary responsibility and authority for a case to a district in Alabama. The resultant indictment, in December 1983, was facilitated and strengthened by this coordinated and more efficient expenditure of resources.

In the other instance, the Southeast Task Force selected a case involving a drug dealer who was importing and distributing large amounts of marijuana in the Atlanta area. During the case review process, it was found that the District of South Carolina was also actively working on the case, was in an advanced stage of its case prepara-

tion, and would be a suitable venue. Again, the Northern District of Georgia relinquished its claim to the case but continued to assist in its development. This operation resulted in multiple arrests and indictments, and had a serious impact on the drug smuggling community that had been utilizing South Carolina's coast for its operations.

Paralleling such instances of collaboration, Task Force Coordination Groups serve also as interregional coordinators, resulting in a coordinated effort that covers the nation.

The Core City and the Districts

In theory, the only difference between a core city and a district is that the Task Force Coordination Group resides in the core city. The Coordination Group serves the entire Task Force Region. However, in practice, the Coordination Group more often than not devotes a disproportionately large amount of its time and interest to operations within its own district and less to the other districts.

The U.S. Attorney for each district is responsible for coordination of Task Force activities and for the designation of attorneys from his or her office; one to serve as Lead Task Force Attorney and others, as Task Force attorneys. The U.S. Attorney chairs the District Drug Enforcement Coordination Group. The Lead Task Force Attorney supervises the other Task Force attorneys, maintains the district's Task Force records, performs required reporting functions, and serves as liaison between the district's Task Force elements and the regional Task Force Coordination Group. The Lead Task Force Attorney plays a central coordinating role in the districts and is a member of the District Drug Enforcement Coordination Group.

Task Forces in the districts are composed of designated attorneys and agents, in accordance with the allocations indicated in Appendix D. Initial allocations of personnel and other resources were made in terms of the relative dimensions of the perceived problem in each area. Districts with major population centers received substantial allocations of resources. The Eastern District of Pennsylvania, with forty-three agents and attorneys, is a prime example. On the other hand, sparsely populated districts, such as New Hampshire, North Dakota, and the Northern District of Mississippi, have no allocations. These districts receive mobile assistance when required, on a case-by-case basis. The core city U.S. Attorney assists in the provision of such mobile resources from the core city or other districts.

In general, the districts have smaller contingents of Task Force-designated personnel than the core cities. This often results in a heavier reliance on State and local law enforcement personnel. Six districts have only an Assistant U.S. Attorney as their Task Force complement; seventeen districts have no one, although the U.S. Attorney remains a member of the Task Force Advisory Committee and of the District Drug Enforcement Coordination Group. Even those districts without Task Force personnel allocations are participating in the effort. For example, the Western District of Arkansas has three active Task Force cases, handled by local personnel with the assistance of Task Force personnel from Arkansas's Eastern District.

The Task Force Coordination Group in the core city plays a dual role, serving both a regional function and a local one. However, most Coordination Group members have a primary attachment to the core city. The Assistant U.S. Attorney Task Force Coordinator is normally drawn from the U.S. Attorney's office in the core city. The Agency Task Force Coordinators are usually subordinate to and evaluated by their SAC in the core city; they are not related, in the chain of command, to the SACs in other districts within the Task Force. Thus, the members of the Task Force Coordination Group tend to be more responsive to the operational requirements of the core city cases and less responsive to the needs of the other districts.

Operations—The Task Force Advantage

The impact of the Task Force Program should not be measured solely by statistics on case results, but can be more accurately measured by how the Task Force approach enhances the investigative and prosecutorial process. That process can be seen in the field operations. The operations, particularly case origination and selection, are examined here in order to describe what the Task Forces do and to illustrate the Task Force advantage in carrying out drug trafficking investigations.

Case Origination

Most drug cases originate from investigations by Federal, State, and/or local enforcement agencies. However, in some instances they grow out of serendipitous events, as in a chance discovery of 14 pounds of cocaine stashed in a health club locker in a city in Colorado. Often a straightforward arrest of a minor drug dealer by the city police turns

up additional information leading to the identification of a high-level distributor or of an organization that merits further investigation. Another method for developing a case is to identify otherwise unknown targets through financial investigations—a tool not exclusively employed by the Task Forces, but one which the Task Force Program has encouraged.

The Task Force Advantage: The Task Force Program has enhanced two main areas of the case origination process. One is the increased willingness of State and local enforcement agencies to bring prospective cases to the Task Forces. The second is the greater utilization of financial investigations as a means for discovering hitherto unknown major traffickers, including professionals such as bankers and lawyers whose participation in narcotics trafficking is usually well-concealed.

According to Task Force members, there are at least four reasons why local cases are being more readily proposed to the Task Force Program. First is Task Force visibility; the Program is a known entity whose express purpose is working on major drug cases. Second, the Task Forces are a mechanism for facilitating the provision of financial assistance to the State and local law enforcement agencies (overtime, travel, per diem costs, and access to buy money) that makes possible a more extensive involvement in drug cases. Third, Task Forces have shown a willingness to share the credit for successful investigations and prosecutions with their State and local colleagues. Fourth, and perhaps most important, joining the Task Force gives local law enforcement agencies access to vastly greater Federal resources, including additional personnel, investigative records, and the varied expertise of all of the participating agencies.

Financial investigations are not carried on exclusively by the Task Forces, but their use has been enhanced by the Task Forces in several ways. First, the Task Forces bring together those agencies with highly developed expertise in carrying out financial investigations. Second, the Task Force Program has designated financial investigations as a special emphasis area. Third, financial investigative units now are a feature of many Task Forces, either contained completely within a Task Force or sharing Task Force and non-Task Force resources. Though investigations are still at an early stage, participants are confident they will soon lead to the identification of new and major targets. An example of one such investigation that has led to major convictions is the "Moneybags" case. (See Chapter 5, p. 66.)

Case Selection

Regardless of how a case originates, an investigating agency may propose it as a Task Force case if it appears to:

- Involve major drug trafficking figures;
- Require the resources and expertise of another agency because of possible violations other than those involving narcotics;
- Have serious investigative ramifications that extend to other geographical jurisdictions; and
- Require the assistance of an Assistant U.S. Attorney during the early stages of an investigation.

If the case is located in a district, the District Drug Enforcement Coordination Group reviews the case. The designated agency representatives of each Task Force review the case, ask questions as appropriate, and initial the Case Initiation Form. After approval by the district U.S. Attorney, the form is forwarded to the Task Force Coordination Group in the core city.*

The Task Force Coordination Group reviews the district's Case Initiation Form. Frequently, the Agency Task Force Coordinators will have discussed the case in advance with their agencies' representatives in the district. The Task Force Coordination Group then either approves the case, refers it back to the originating district with additional questions, or rejects it as not meeting the criteria for Task Force selection or as being unrealistic in terms of resource requirements. Because there is sufficient preliminary discussion of the cases, relatively few of those submitted are not approved.

The Task Force Advantage: The cases that qualify for Task Force selection are invariably those that require long-term dedication of personnel from more than one agency. These cases will not have quick turnover or results. The Task Force Program, by putting aside the numbers game of rapid and numerous prosecutions, is able to dedicate resources

* During the start-up phase of the Task Force Program, the initial 260 cases were referred to Washington for approval, in order to ensure that the criteria were properly applied and to set standards for subsequent approvals.

for better and higher achievements. Investigators and prosecutors are afforded the time to construct the difficult trail of evidence needed to successfully prosecute truly high-level targets. Resources made available only through the Task Force Program can be used optimally to reach targets that are untouchable through traditional approaches. The case selection process supports the Task Forces' higher aims.

The other case selection criteria—multiple agency involvement, multiple jurisdictions, and early attorney involvement in the investigation—also bring to the Task Force Program cases that cannot be managed effectively *without* the Task Force. The Task Force Program is a *system* for bringing multiple enforcement agencies together, coordinating investigative and prosecutorial strategies across district and regional lines, and providing a dedicated Assistant U.S. Attorney to support the investigative requirements of a case at *any* point in its development.

The Task Force system facilitates, enables, and encourages the selection of cases that cannot be made without the Task Force structure. The system also promotes selection of cases that can be broadened and deepened in order to attack significantly higher level targets.

Investigation

The review that is part of the case selection process may reveal that two or more agencies, unbeknown to one another, have been working on the same case or on cases that closely overlap. Such overlap often brings about a natural union of the agencies' investigations. Other agencies are asked to participate—or volunteer to participate—as their areas of interest or a need for their resources becomes apparent.

When a case is under examination, the agency representatives consider the level of agent resources they can and should devote to it. Through discussion, personnel levels involving both Task Force-designated personnel and, in many instances, non-Task Force personnel are agreed upon.* Also at this stage, one or more Assistant U.S. Attorneys are assigned to the case, to provide legal support and to assist in guiding the investigation toward maximum impact at the time of indictment and trial.

As the investigation proceeds, the investigative agents share the information developed and work

* In most instances, Agency Task Force Coordinators have no authority to commit resources to Task Force operations, and must gain the approval of their agency SACs.

together to determine what additional information is needed and how best to obtain it. The specialized knowledge and investigative techniques of the various agencies are orchestrated through this process to ensure that optimum results are achieved, to identify the major organizational figures, and to collect sufficient incriminating evidence. In this way, the diverse elements of an investigation are coordinated so that they are mutually supportive, properly timed, and not at cross-purposes. When needed, the Assistant U.S. Attorney is called upon for legal counsel or for the preparation of legal documents.

The Task Force Advantage: In the investigative process, salient and positive differences attributable to the Task Force Program are evident. They are itemized briefly here:

- **Experienced case agents:** Personnel assigned to the Task Forces are experienced in Federal investigative work and narcotics investigations, creating investigative teams that are highly qualified and capable.
- **Experienced Assistant U.S. Attorneys available early in the investigative process:** Task Force Assistant U.S. Attorneys are experienced not just as prosecutors, but as prosecutors in narcotics cases. They bring a wealth of specialized talent to the investigative process by assisting in financial investigations, giving legal counsel, and preparing legal documents, such as affidavits, warrants, and subpoenas. Their ready availability has allowed for a substantial increase in the use of court-authorized wiretaps and other methods of electronic surveillance within the Task Force context. The dedicated availability of attorney assistance is not a regular feature of investigations outside the Task Force framework.
- **Status with other Task Forces:** The Task Force Program creates a mechanism for Assistant U.S. Attorneys and Agency Task Force Coordinators to become acquainted with one another in a mutually supportive group. As a result, when one Task Force asks another for help, investigative support is much more rapidly and effectively provided. The Task Force network is strong, growing

stronger, and working to benefit the Task Force system.

- **Expanded personnel resources:** The addition of some 1,200 professionals dedicated to drug enforcement programs is a tremendous boost to law enforcement efforts. Further, the recognition that the cases being undertaken are difficult and long-term permits the assignment of more investigative talent to a case, without the expectation of quick convictions. Agents can work on a case for longer than would normally be permitted outside the Task Forces, resulting in more significant arrests.
- **Easy and rapid access to other agencies' information:** The collaboration of personnel from various agencies results in timely, direct, and complete access to the information resources of all the agencies involved without resort to the usual bureaucratic procedures of formal inter-agency requests.
- **Availability of a greater range of expertise:** The agencies participating in the Task Forces have different areas of investigative strength. As a rule, no one agency houses all the highly developed skills that are necessary during a complex narcotics case. For example, DEA is skilled in narcotics investigations, with particular expertise in conducting undercover operations. The FBI has a finely honed ability to conduct extensive and thorough background and on-site investigations; it can execute surveillances, and other electronic and technical operations; and it has a superior records and information retrieval system. Customs is without peer in managing smuggling investigations and tracing movements of people and funds to and from foreign countries. IRS is particularly strong in determining individuals' net worth and in penetrating efforts to disguise ownership of assets. The combination of these talents results in a synergistic increase in investigative ability for the Task Forces.
- **Added financial resources:** The Task Force Program provides additional sums

of money for operations and equipment. The traditional buy and bust activity that has been a part of street-level drug investigations allows enforcement agents to purchase a small amount of drugs and arrest the dealer. The Task Force Program utilizes a more effective approach. First, agents are permitted to expend larger amounts of buy money without immediately arresting a seller. The purchase establishes the agent's bona fides, giving the agent further entree to the drug organization. Second, larger sums of money are available, allowing larger buys and access to significantly higher elements of a drug organization. Thus, a Task Force agent may move from dealing with a street-level pusher to a wholesaler because the agent has the money available. It is a frequent practice of drug wholesalers to require that customers prove their bona fides by making at least one exceptionally large purchase, because, as one defendant put it, "the cops can never make a really big buy." Now they can.

Task Force monies have also provided improved equipment for the agencies involved in the Task Forces. Rented automobiles for operational use have been provided; technical gear and radios have been upgraded. Radios are a continuing problem because the investigative agencies' existing radio systems are not compatible with one another. Task Force funds are being used to overcome this problem, permitting Task Force personnel from different agencies to communicate better during street operations.

- **Mutually supportive investigations:** The history of drug enforcement is replete with instances of investigations by one agency being disrupted or terminated because of investigations by another agency. The Task Forces have not eliminated these difficulties entirely: an Atlanta Task Force case had to be dropped when the principal target was arrested in Texas on unrelated charges. In another instance within the Task Force Program, one Region's informant was, for a while, another's potential defendant. But these are the exceptions;

multiple agency and multiple district coordination does result in mutually supportive, rather than destructive, investigations in most Task Force activities.

- **Greater access to grand jury time:** Grand juries serve a very significant role in complex drug investigations. To best apply this tool, investigators need access to the grand jury. Having an attorney readily available who is intimately acquainted with and dedicated to the case facilitates access to the grand jury process.

In summary, Task Force investigations are more successful because they benefit from the coordinated application of greater fiscal, technical, and human investigative resources.

Prosecution

When a grand jury returns an indictment, the case moves from the investigative to the prosecutorial phase. In some ways, the mechanics of prosecuting a Task Force case are no different from those of any other drug prosecution, but there is a significant qualitative difference.

The Task Force Advantage: The continued involvement of a Task Force Assistant U.S. Attorney during the investigation often means that a sounder case is constructed and that the prosecuting attorney is more familiar with all facets of the case. The Assistant U.S. Attorney's specific function is to ensure that the evidence obtained is complete and admissible. The participation of agencies with varied areas of expertise ensures that violations of specific statutes are appropriately charged and documented.

In addition, the Task Force Assistant U.S. Attorneys work within a set of guidelines designed to maximize the impact of their prosecuting efforts on drug operations, and not just maximize conviction statistics. This "bigger picture" emphasis means, for example, that Task Force Assistant U.S. Attorneys will use grants of immunity and plea agreements *only* to develop additional information that will contribute to indicting higher levels of drug traffickers and dismantling their organizations.

The Task Force emphasis on collaboration with State and local law enforcement and on cross-designation of attorneys provides a greater range of forums for trying cases. By exercising the option of taking a case to a Federal or a State court, the prosecutors can best apply the combined powers

of the two systems. For example, New York State penalties for criminal possession of small amounts of drugs are more severe than the Federal penalties, and it may be preferable to use the more punitive venue.

A Successful Beginning

The preceding comments on Task Force operations should not be taken to mean that the Task Forces are operating without flaws or difficulties. There are problems. Coordination is not perfect and there are examples of crossed wires in the Task Force operations. Appropriate office space has been difficult to obtain. The inability to place Task Force Coordinators and, at times, other per-

sonnel together has inhibited cooperation. Some districts report minimal support from their core cities. Differing agency policies result in unequal roles and responsibilities for Coordinators, and chains of command sometimes conflict.

It is a tribute to the dedication of the personnel in the field that, despite such problem areas, the Task Forces are operating in a manner different from, and superior to, what has existed in the past. The operations at all phases, from the origination of cases to their prosecution, are devoted to bringing to bear the resources of many agencies against major drug trafficking organizations; and they are beginning to register significant successes.

Task Force Goals and Objectives: First-Year Progress

The goal of the Organized Crime Drug Enforcement Task Force Program, as stated in the *Guidelines*, is:

To identify, investigate, and prosecute members of high-level drug trafficking enterprises and to destroy the operations of those organizations.

Subordinate objectives designed to meet this goal vary between Task Forces, depending on the profile of trafficking organizations in each Region. Four specific objectives or areas for special emphasis are required, however, of all Task Force Regions. These areas are: 1) to pursue high-level targets, 2) to enhance Federal agency coordination and cooperation, 3) to enhance cooperation and coordination between Federal agencies and State and local agencies, and 4) to stress financial investigations, seizures, and forfeitures.

Each Task Force has progressed toward these objectives. This chapter discusses each objective in more detail. In order to illustrate how Task Forces have translated these objectives into action, case examples and quotations from Task Force Program administrative trip reports are presented. These quotations are comments gleaned from interviews with Task Force participating personnel and excerpts from outside observers' reports.

High-Level Targets

The number one objective of the Task Force Program, as stated in the *Guidelines*, is:

To target, investigate, and prosecute individuals who organize, direct, finance, or are otherwise engaged in high-level illegal drug trafficking enterprises, including large scale money laundering organizations . . .

The *Guidelines* further define targets, specifying that Task Forces are to attack "major drug trafficking organizations." This includes any group

"where a sizable number of individuals is involved in the trafficking or there are large actual or potential profits gained from the trafficking." The kinds of organizations and individuals identified as appropriate for targeting—traditional organized crime groups, other groups engaged in organized drug operations, and individuals or small groups who use their professional status to trade in narcotics or dangerous drugs—are described in Chapter 1 of this report. But what makes an organization or an individual high-level?

High-Level Organizations

Task Forces do not target or devote their resources to investigating and prosecuting minor criminals such as street-level pushers. Rather, the emphasis is on eliminating the elements in an organization that make drug dealing possible. These are the high-level kingpins who make the drug organization function. Without the organizations, the street pusher is out of business.

The case selection process is where a potential target organization is examined to determine whether it qualifies as a high-level target. In general, the size of the organization and the quantity of drugs it deals in serve as measurements of the significance of an organization. Because of differing environments throughout the country, however, the *Guidelines* also provide that "each core city United States Attorney, in consultation with his or her Advisory Committee, may establish more specific criteria (such as minimum quantities of a given substance) to be applied within a Task Force area," in determining whether a target is high-level.

It is apparent, for instance, that in rural mid-America fifteen pounds of marijuana may be a significant amount in terms of its impact on society and the local economy. But fifteen tons might be of comparable significance along the Gulf Coast, where importation and transshipment take place. It is the impact on the social and economic welfare of the community that stands as a significant criterion in case selection, and each Task Force is given some latitude in making that determination.

THE RAID

This case, "The Raid," responds to the mandate to pursue high-level drug trafficking organizations, and illustrates:

- A high degree of interagency collaboration;
- Extensive use of attorneys during an investigation;
- Importance of the varied expertise of different agencies; and
- Task Force ability to sustain a major investigation over a long period of time.

In early 1983, twelve smugglers coming from a Colombian ship were arrested as they moved from the San Francisco Bay up onto a beach. Each carried a duffel bag full of cocaine; and some were armed. They were arrested by Task Force agents from the FBI, DEA, Customs, and IRS. The arrests were based on violations of statutes enforced by Customs, and Customs directed the operation.

The fact that agency arrest teams were in the area was not an accident—the FBI had gathered critical information from a wiretap; Customs had carefully monitored the comings and goings of the ship's crew; DEA's background investigations had established the connection of the defendants to one another; and, as the investigation progressed, IRS had thoroughly investigated the suspects' dollar expenditures, their incomes, and their unlawful money movements.

The raid was one of the most effective, quick-hitting, and safe operations that has occurred in the San Francisco district in recent years. It could only have been conducted with complete coordination and cooperation between the agencies and the complementary use of

their resources. Task Force agents and attorneys worked around the clock to obtain and execute appropriate court orders and warrants.

The method of investigation successfully encouraged the organization to continue to believe that this was merely a happenstance Customs arrest, and not an orchestrated effort. The professional conduct of the raid allowed continued operation of the electronic surveillance, which revealed the person who controlled the narcotics loads.

The initial accomplishments were overshadowed by the arrests that occurred a month later, growing out of the raid. One hundred fifty agents from Federal and local agencies were assembled into teams and given instructions on the conduct of the operation. In a carefully coordinated move, they arrested twenty-five more members of the organization. The organizational level of those arrested was far above that of the smugglers arrested earlier.

The electronic and physical surveillance, and the cooperation and communication between the various agencies and their counterparts in other districts, netted over 500 pounds of cocaine, plus firearms and silencers. Electronic surveillance also established the direct link between the smugglers and their principal Colombian connection, a matriarch living in Buena Ventura, Colombia.

If the initial raid and its arrests had followed the pattern of law enforcement in the past, the entire investigation could have ended with the arrest of the twelve smugglers—minor offenders. Before the Task Forces, single agencies rarely had the support necessary to conduct full-scale investigations into entire organizations. However, the Task Forces, because of their mandate and structure, can work a drug case to its apex. Thus, this entire smuggling organization was literally uprooted from the Northern District of California and has ceased to operate.

Case Initiation Form Information as Indicators of High-Level Targets

The Task Force Case Initiation Form is the form used to report the measurements of an organization's importance, its relevance as a target, and the importance of each person identified as a principal prospective defendant within the case. By reviewing the Case Initiation Form data it can be determined whether the targets are indeed high-level.

One of the measurements of principal prospective defendants is their organizational rank. Almost 30 percent of the identified principal prospective defendants fall into the largest category, "Top leader." An additional 25 percent are "Mid-level leaders."

The fact that there are over 2,000 potential principal defendants listed for 467 cases indicates that the cases focus on organizations, not individuals. About one-half of the targeted organizations are non-traditional criminal groups that have been put together for the express purpose of dealing in drugs. An additional 39 percent are traditional organized crime groups which engage in drug trafficking along with other types of criminal activity. Prison gangs and outlaw motorcycle gangs are targeted in 30 cases. (These and other data describing the nature of Task Force target organizations are provided in the data charts in Chapter 6.)

Another aspect of the high-level nature of Task Force targets is their international involvement. Most narcotics originate overseas. An international organization procures and transports the drugs to distributors in the United States. The financing of these drug transactions inevitably results in the transfer of huge amounts of money between the United States and a variety of foreign jurisdictions. On an even larger monetary scale, major drug dealers acquire vast profits which they cannot use without "laundering," a process that usually involves international financial transfers. Consequently, most major drug dealing organizations are involved with foreign jurisdictions for the procurement of the drugs for sale, for the laundering of their proceeds, or for both.

Indicative of the high-level nature of the targets, almost half of the Task Forces' cases listed on Case Initiation Forms are international in scope. The remaining half are almost all "multi-district" cases, indicating that they are also geographically extensive. One attribute of the Task Force Program is that it has sufficient resources and the tenacity to permit

thorough and aggressive pursuit of the international aspects of cases far beyond what has been true in the past.

Penalties as Indicators of High-Level Targets

Major targets merit major penalties. The Racketeer Influenced and Corrupt Organizations (RICO) and Continuing Criminal Enterprise (CCE) statutes were enacted to provide appropriate penalties for major offenders. These statutes are intended to remove high-level drug traffickers and organized crime leaders from active roles in their criminal enterprises and to deprive them of both their ill-gotten assets and the means for continuing to operate or influence those enterprises. These statutes provide for substantial penalties including fines, forfeiture of property, and, for CCE violations, mandatory prison terms. Forfeiture applies to any property or contractual rights that afford the defendant a source of influence over the enterprise. The Task Forces are seeking indictments under these statutes whenever possible. Task Forces are also attempting to combine diverse charges, without violating the principle of double jeopardy, in order to maximize the deterrent effect of prosecution and to minimize the convicted trafficker's ability to continue any illegal activities.

When Case Initiation Forms were completed, the Task Forces expected that over 33 percent of the cases would result in RICO charges, and two-thirds would include CCE charges. At the end of the first year of Task Force operations, ninety persons had been indicted under the RICO statute; seventy-one, under CCE. Fifty-one Task Force cases resulted in RICO or CCE indictments, or both, in 1983. This is well over one-third of the 139 such cases approved by the Department of Justice during the same period. Department of Justice figures reflect a significant growth in the number of RICO and CCE prosecutions approved during the past year.

The Task Force Program is insistent on ensuring that drug traffickers be penalized; it does not insist that they be charged with drug felonies. As the *Guidelines* state, "It is not necessary that every Task Force prosecution include specific drug charges, but every Task Force prosecution must be drug-related. That is, the specific charges may be tax, RICO, currency, or other non-drug violations, as long as the targets have been identified as major drug violators and otherwise meet the Task Force standards." By the end of 1983, 44 of the Task Forces' 264 indictments contained no drug charges.

The Professionals and Other Individuals

Just as organizations vary in size and scope, so may the activities of the individuals who participate in the illegal drug trade. On one hand, there are many individuals who provide crucial services to drug organizations. In particular, these tend to be the people who finance the operations or assist in laundering funds. These people may never "touch the drugs," but without their services the organizations could not flourish. In many instances these backers and launderers are not an integral part of a single organization. Indeed, they may perform their services for several organizations. But they qualify as targets in their own right.

On the other hand, the volume of drug trade may not be as significant in the case of some individuals who are targeted by the Task Forces, but consideration must be given to the impact of their activities on the social fabric of their communities. This is particularly the case with those individuals who use their positions of public trust to participate in illegal drug trade. An individual doctor who, for profit, improperly prescribes drugs may be involved in relatively insignificant amounts, but the betrayal of professional standards and trust have a serious and adverse effect on our society. The same applies to the dentist or pharmacist who participates illegally and for profit in the drug trade. No less destructive are the corrupt public officials who profit from drugs and, regardless of the volume of drugs involved, they are also deemed to be appropriate targets for Task Force operations.

As reported in the Case Initiation Forms, at least 17 Task Force cases have targeted corrupt public officials; another 8 are directed at medical/pharmaceutical practitioners. Financiers and money launderers are targeted in over 150 cases. The Case Initiation Forms do not provide for identification of the numbers of other professionals—bankers, lawyers, accountants, etc.—who are betraying the public's trust, but those data will become available in subsequent reporting.

Reaching Higher Levels: The Use of Plea Agreements and Immunity

In order to improve their abilities to attack ever higher levels within the drug trafficking communities, Task Forces are using plea agreements and grants of immunity. The Task Force Program uses these devices *only* to direct enforcement efforts at higher level targets. These arrangements are used to obtain a defendant's

promise to cooperate in providing information about other criminal activities of which the defendant is aware. Since many of the high-level targets do not involve themselves personally with drugs, charges are often difficult to prove without the sworn testimony of individuals who have first-hand knowledge of the targets' roles. With such testimony, cases against the hidden criminals can be made or reinforced.

Often the extent of the defendant's cooperation and the value of the information determine the nature of the agreement. A prosecutor's incentive to use these arrangements is greatly increased if there is a good prospect that the cooperating individual will provide information to incriminate someone else, at a higher level and on more serious charges.

To ensure that these arrangements do not reduce the impact of the Task Forces on prosecutions, the *Guidelines* provide that "in every case in which there is a plea agreement, a plea must be made to at least the most serious charge in the indictment unless the United States Attorney in whose district the case is pending personally approves a plea to a lesser charge."

One Task Force district developed a standard plea agreement, which is now widely used in other jurisdictions. The standard agreement provides that the defendant must:

- 1) Provide information concerning *all* past illegal drug activity and assets, not just specifics concerning ventures about which the government already has knowledge;
- 2) Cooperate fully and completely with government agents and prosecutors;
- 3) Testify truthfully before any grand jury proceeding and at all trials;
- 4) Forfeit all drug-related assets; and
- 5) Successfully complete a polygraph examination to confirm that all information provided is complete as well as truthful.

One trafficker who became the "beneficiary" of such an agreement will serve at least ten years in prison, will be deprived of all the fruits of his drug activities and his ability to continue to influence drug enterprises, and will be obliged to

serve the government as a witness in testifying about other narcotics activities of which he is aware. His continuing and known role as a government witness and informer will also serve as an effective barrier to his reentry into the community of narcotics criminals. The punitive aspect of the prosecution is served, and law enforcement is provided with a powerful tool in the investigation of higher level targets.

Examples of High-Level Targets in Task Force Cases

The following examples of successful Task Force cases illustrate Task Force targets, as individuals and as organizations, and what constitutes high-level targets.

- One principal defendant was a high-level target in his own right, a "Top leader" in a large organization, responsible for the importation of tons of cocaine over the past three years. While he could have been indicted in mid-1983, the Task Force continued its investigation until the *organization* was more fully identified, resulting in the simultaneous indictment of fifty key figures, enough to severely cripple the organization.
- Another case focused on the "respectable" people—businessmen, lawyers, etc.—who were making fortunes on marijuana importation. The Task Force financial investigation approach resulted in multiple indictments of over fifty people, of whom six were charged with CCE violations. (See "Moneybags," p. 66.)
- An outlaw motorcycle gang heavily engaged in PCP and methamphetamine sales was another Task Force target. The result was multiple indictments against the bikers, including several of the gang's national officers.
- A drug ring operating out of a Federal prison was rounded up by a Task Force operation, resulting in the indictment of eight inmates and fifteen of their associates in five States. (See "Jailbirds," p. 55.)

- An entire heroin organization—shippers in Italy and importers, distributors, and dealers in the United States—was the target of a major Task Force case, resulting in indictments of ten key figures in the United States. Some of the organization's other members in Italy have already been arrested and are awaiting trial.

- A West Coast organization that grew from school-yard sales to a multi-million-dollar, multi-ton marijuana importation and distribution organization became a target, and Task Force agents and attorneys have identified and prosecuted over a dozen top and middle leaders in the organization.

- Ten years of corruption by a free-wheeling sheriff were brought to an abrupt conclusion by a Task Force investigation that netted eighteen assorted drug dealers, gambling and prostitution operators, and murderers and extortionists, including the sheriff and his assistant. (See "The Sheriff and the Dealer," p. 44.)

Not all of the Task Forces' cases reflect so dramatically the high-level characteristics of the targets as some of these. Not all of the operations are as vast in scale. As Task Force Advisory Committees may determine what constitutes a high-level target in the context of the drug trafficking and the drug usage problem within a Task Force Region, the cases may appear less striking. But they are all of value within the regional context.

Summary

Task Forces are attacking high-level targets on many fronts in order to eliminate the organizational structures that make possible the retailing of drugs in our society. This approach distinguishes the Task Forces' efforts from more traditional efforts at interdicting drugs at the border or policing the retail distribution of drugs. Those traditional efforts have a legitimate place in the nation's effort to eliminate drug trafficking, but they will be most effective only if efforts such as the Task Forces' are successfully directed against the criminal organizations responsible for maintaining the supply and distribution of these substances. Removing the

THE SHERIFF AND THE DEALER

This case, "The Sheriff and the Dealer," responds to the Task Force mandate to target corrupt public officials, and illustrates:

- The use of diverse agency skills and techniques;
- Financial investigation to substantiate drug-related charges; and
- Prosecution of non-drug charges to convict drug offenders.

In a county considered to be a haven for certain operators of illegal schemes, the Sheriff was widely believed to use his office for improper purposes. One of the principal operators was the Dealer, who controlled gambling, prostitution, and other rackets. The Dealer and the Sheriff were both said to have ties to La Cosa Nostra, and both were believed to be involved in drug dealing.

Following up on an FBI lead, the Task Force selected the case for investigation and assembled a team composed of the FBI, DEA, IRS, Customs, a city police department, State Police, and the State Highway Patrol.

As a result of undercover negotiations, a deal was made for delivery to the Dealer of 800 kilos of cocaine, by airdrop, to a farm he controlled. The Sheriff and his Chief Deputy agreed to provide protection for the delivery, with a number of the Dealer's associates acting as a ground crew.

Although the participants had threatened to kill any "feds" who might intervene at the time of the delivery, the combined forces of the Federal, State, and local agencies were able to arrest eight men, some heavily armed, at the farm and nearby as they awaited the delivery. No shots were fired. Among those arrested were the Sheriff, his Chief Deputy, and the Dealer. One of the weapons seized was a .44-caliber magnum revolver, loaded with exploder ammunition, known as the "cop killer." Additional exploder cartridges were found at the scene.

Task Force agencies conducted extensive investigations of the principals before and after the arrests at the farm. They were able, for example, to document some of the Dealer's illegal transactions back as far as 1977, when he made a payment on a boat he used for importing marijuana.

A grand jury returned numerous indictments in this case. The principal indictment, returned in December 1983, charged the Sheriff, the Chief Deputy Sheriff, the Dealer, and eight others with numerous counts, including violation of the RICO statute, murder, extortion, conspiring to kill Federal enforcement officers, cocaine importation, marijuana cultivation, corruption, and firearms violations. Other indictments included several counts of perjury.

This multi-agency Task Force effort was the first time in recent years that a dent was made in rampant public corruption in that area and serves as a warning that the Task Force will succeed where others have failed.

organizational capability of drug dealers is a lengthy and expensive process. The results, however, justify the costs.

Federal Agency Coordination and Cooperation

One of the four specific Task Force objectives stated in the *Guidelines* is:

To promote a coordinated drug enforcement effort in each Task Force area, and to encourage maximum cooperation among all drug enforcement agencies . . .

Progress toward this objective varies by locality and from agency to agency, depending primarily on historical considerations, but both coordination and cooperation among agency representatives have unquestionably improved throughout the Task Force Program.

Coordination and cooperation are essential to successful Federal drug enforcement efforts for many reasons, but two are of particular importance. First, organizations trafficking in narcotics are likely to have violated statutes in multiple jurisdictions. Second, Federal law enforcement agencies have different and sometimes overlapping jurisdictions for drug enforcement.* The Task Force challenge is to bring the

* IRS enforces the Internal Revenue Code, Title 26; parts of Title 12, Banks and Banking; and, along with Customs, investigates individuals and companies which fail to file proper Currency Transaction Reports or Reports of Foreign Bank or Financial Accounts under Title 31. Customs, in addition to its Title 31 authority regarding Cash Movement Inventory Reports, has broad search and seizure powers at the borders under Titles 18, 19, 21, 22, and 49, which cover smuggling, possession, exportation and importation, and the Arms Export Control Act. DEA enforces The Controlled Substances Act, Title 21. The Coast Guard, under Title 14, enforces U.S. laws on the high seas and waters subject to U.S. jurisdiction and may assist any Federal agency or State when requested; Coast Guard officers and Petty Officers are also officers of Customs. The Bureau of Alcohol, Tobacco and Firearms enforces the Gun Control and Firearms Acts, Titles 18 and 26. Under Title 28, U.S. Marshals have the same authority as any particular county sheriff. In addition, they have the power to seize assets under several provisions in the U.S. Code and have primary responsibility for relocating protected Federal witnesses. The FBI enforces portions of all sections mentioned above. Indeed, it has responsibilities under almost all sections of the criminal code and concurrent jurisdiction with DEA over Title 21.

appropriate authorities and highest level of expertise in each location and jurisdiction to focus jointly upon drug trafficking organizations.

The Process and Degree of Coordination

The Task Force Program allows agencies to synchronize investigations during Task Force Coordination Group meetings. There, decisions are made on how and when informants will be used; how, when, and where electronic interception will be most beneficial; and when potential defendants will be made aware that they are subjects of investigation. The traditional approach of arresting a subject as soon as a charge is ready has been replaced by the judicious use of lesser counts for developing informants and a coordinated effort to pursue the most significant charges against higher level targets. Many agencies had adopted this approach to case development before the Task Force Program was established, but the Task Force structure has promoted coordinated efforts in many more instances.

The degree of Task Force coordination has resulted in many efficiencies. First, the Task Force Program enables more efficient use of Federal resources by combining agency expertise and focusing it on common targets. In one current investigation, the expertise of the Federal Bureau of Investigation (FBI) in Title III wiretaps is being pooled with the undercover skills of the Drug Enforcement Administration (DEA), the financial skills of the Internal Revenue Service (IRS), and the border records capabilities of the U.S. Customs Service. A standard procedure in raids conducted by one Task Force is for DEA to take custody of all drugs; ATF agents, all guns and explosives; IRS, all records; and FBI, all else. This specialization speeds evaluation of evidence and shortens the chain of evidentiary custody.

Second, the Task Force Program reduces duplication of agencies' efforts because the scope of a Task Force investigator's inquiries has expanded beyond the limits of one agency's jurisdiction. While interviewing a potential defendant or witness about a tax matter, a Task Force IRS agent routinely asks about firearms and other matters relating to the broader inquiry. In this way, either an ATF agent is spared having to conduct an unfruitful interview with the same subject or is alerted to a new avenue of investigation.

Third, closer case coordination helps to ensure that maximum impact is obtained from all

possible charges. Task Forces are credited with coordinating the timing of joint investigations in a way that avoids the problems formerly encountered by agencies operating on widely varying investigative timetables. Different types of investigations take different lengths of time; the agencies participating in the Task Force Program have agreed to avoid pursuing their own charges in a multi-agency case until all agencies have completed their investigations. In order to maximize the effect of financial investigative tools, other agencies may prolong investigations and delay indictments until IRS, for example, has completed its case. This results in enhanced, comprehensive investigations leading to prosecution of the most serious charges against principal defendants.

"According to the U.S. Attorney, there have been many instances of agencies deferring arrests so a multi-agency effort can be mounted to seek out higher targets."

This timing of investigations is being used by four Federal agencies in a current cocaine and firearms investigation. The primary target could be arrested immediately on drug and gun charges, but surveillance continues and the arrests are postponed until the more significant IRS charges are ready. Without Task Force coordination, agencies may damage each other's investigations by exclusively pursuing their own charges. Developing a schedule of arrests allows all investigations to be concurrently and optimally completed.

Increased Interagency Cooperation

The Task Force Program has not only created a forum for improved interagency coordination, it has also opened new communication channels. Periodic Task Force Coordination Group meetings and constant interaction among investigators reinforce an orientation toward common investigative goals. Frequent contact has promoted the development of mutual trust and greater intelligence sharing among Task Force agents and attorneys. This increased cooperation has

improved the targeting of criminal organizations.

"There are still a number of interagency problems, but the Task Force gives the agencies an opportunity to get their differences on the table for discussion and, in most instances, resolution."

In many instances, new interagency relations have been developed. Daily contact between ATF and IRS has prompted what both agencies describe as substantial information sharing. The FBI has offered to include Treasury agencies in its training at several Task Force locations. DEA, IRS, and ATF are conducting surveillances and interviews together. At Customs, the Task Force Program has sparked renewed interest in drug cases. To capitalize fully on this interest, Customs has been authorized, on a case-by-case basis, to conduct drug investigations under DEA supervision.*

In those Task Forces where agents are co-located, they brief each other regularly on recent and upcoming interviews. This practice did not exist before the Task Force Program and still is not followed in any systematic way by agents outside the Task Forces. Within the Task Forces, it provides agents with better access to each other's experience, judgment, and creativity in developing investigations and increases opportunities for coordinated case development.

The Task Force Program has also improved relations at management levels. Federal agency managers are now more aware of how they can best assist each other. For example, a DEA Task Force Coordinator, a senior supervisor with many years on the job, had never met the local FBI Special Agent in Charge (SAC) before the Task Force was created. They met through the Task Force and now frequently give joint speeches on drug enforcement efforts. If a conflict or misunderstanding should occur between the FBI and DEA, this newly developed personal relationship may offer a ready means for resolving it.

* See Chapter 3, p. 24, for an explanation of Title 21 designation.

"There has been movement toward greater cooperation. The DEA Coordinator acknowledged that DEA is working for the first time with ATF and the U.S. Marshals Service. An IRS agent indicated a more cooperative spirit on behalf of his agency, saying that while IRS always wants to make a tax case, it is now willing to assign people to drug cases in the full knowledge that not all of them will yield tax charges."

The Task Force emphasis on interagency cooperation extends to equipment as well as information and expertise. In recent Task Force cases, for example, DEA has made a briefcase camera and a drug-sensing dog available to the FBI. The FBI's advanced surveillance equipment has made several cases that were otherwise at a standstill. Aircraft for investigations, always difficult to come by, are shared between Task Force agencies. Such sharing was the exception prior to the Task Forces.

Before the Task Force Program, agencies were sometimes ignorant of each other's inner workings, procedures, and practices. One agency would not know, for example, how much money another agency could spend to purchase information or evidence without first securing the approval of its headquarters. Now the limitations are known and solutions readily cross agency lines. The increased contact among agencies resulting from the Task Force mandate has led to a better understanding of each other's roles, capabilities, and limitations. Each agency now knows exactly what kinds of information other agencies need, as well as the types of cases on which they are currently working and the kind of assistance they need or can provide.

The Role of U.S. Attorneys

The core city U.S. Attorney is charged with coordination of each Task Force. The U.S. Attorney defines this function personally and performs it through three primary contact points, the local agency SACs, the other U.S. Attorneys in the Task

Force Region, and a senior Assistant U.S. Attorney named Task Force Coordinator.

The relationship between the U.S. Attorney and the core city SACs has, in most cases, a history predating the Task Force Program. At a minimum, the U.S. Attorney has been the chief prosecutor of their previous cases. They clearly recognize their interdependence, and what they make of it in the Task Force context is reflected in the production of major cases, in the conduct of local press conferences announcing the cases, and in the day-to-day conduct of the Task Force Coordination Group.

The core city U.S. Attorneys began by developing with their district counterparts the regional analyses used in Task Force planning. At the inception of the Task Force Program, they visited each of the district U.S. Attorneys or met with them as a group. As a result of those meetings, in some cases assets were reallocated for more effective coverage, usually from the core city to a district, thus establishing favorable relationships. Some U.S. Attorneys have continued to hold regional meetings. Others have delegated these district relationships to their Assistant U.S. Attorney Task Force Coordinator, stepping in only when there are unresolved conflicts. The U.S. Attorneys at the twelve core cities recognize their obligation for ultimate coordination of the Task Forces.

"Task Force attorneys and agents are able to spend more time developing cases in a thorough manner. The caseloads are much lower, and there is less pressure to bring indictments at the earliest opportunity. Presumably, this will result in greater depth of investigation, the ability to reach higher into the targeted organizations, and more substantial cases. It also creates a working environment that is more conducive to establishing rapport among agents and between agents and attorneys."

The Federal enforcement agencies, by requirement (and some local agencies by invitation), each name a full-time Agency Task Force Coordinator. The most effective communication and coordination instrument in the field is the Coordination Group meetings, called at regular intervals by the Assistant U.S. Attorney Task Force Coordinators. An example of one such meeting as reported by an outside observer follows:

This weekly conference is said by Coordinators to be the heart of the Task Force. It is conducted as a brown-bag lunch, and, while waiting for Task Force quarters, the host agency is rotated. All Coordinators were present at the ninety-minute meeting at DEA.

The discussion was structured around Task Force cases. No new nominations were discussed or made, although this is clearly, a function this forum accomplishes. All core city and certain district cases were discussed. The procedure was informal, the leadership shared, and the tone was friendly, even bantering, when issues of agency bias or turf were raised. Up-to-the-minute case development details were discussed; requests for cross-agency personnel assignments were entertained; a new method used by smugglers was described and some specific intelligence was shared; and a Task Force raid plan for that afternoon was reviewed.

The case-oriented agenda did not prevent administrative and other management issues and irritations from being aired. But it placed them in an appropriate perspective—their effect on Task Force cases. Every agency joined the discussions in this productive and hard-hitting forum, a prime example of the catalytic effect that Task Forces are seeking and working toward.

Federal Bureau of Investigation

Department of Justice agencies provide almost two-thirds of the Task Force investigative strength of 1,000 agents. Three hundred thirty-four of the Justice Department investigators are Special Agents

of the FBI. Although replacement of FBI agents assigned to Task Force duties is particularly time-consuming due to stringent selection, training, and indoctrination requirements, the Bureau has fulfilled its Task Force Coordinator and agent allocations at virtually all core cities. Most Task Force agents seem to come from among those few Special Agents who have had training or experience in narcotics enforcement.

"It is difficult to judge the effect of the Task Force on FBI-DEA relations, because the expansion of FBI jurisdiction into drug enforcement occurred over the same period of time. The concurrent changes in jurisdiction and in the organizational relationship of the two agencies obviously have had a major impact, and it is difficult to isolate the effect of the Task Force alone on their relations in the field, but they do work better together than ever before."

A number of factors make the FBI a dominant element in Task Force operations. Having acquired drug jurisdiction a year before program start-up and already having extremely strong investigative capabilities, the FBI was suddenly an important element in the narcotics enforcement scene. Its historical focus on organized crime enhanced its position in dealing with related drug elements, particularly of the type targeted by the Task Force Program.

In return for the critical inventory of investigative skills that the FBI brought to the Task Force Program, the Bureau is learning more about financial investigations from IRS and Customs and, in particular, is learning narcotics investigations from DEA. It is a developing relationship, dependent now on the willingness and ability of DEA and FBI field personnel to forge their assets together into doubly effective tools against drug crime.

Although this report discusses Task Forces in general, some variations merit individual comment. An observer reported the following remarks of one FBI SAC:

The SAC said he is "... not about to let a major operation like this Task Force flounder for lack of good personnel." Task Force spirit and Task Force guidelines are fine, but "people make them work." According to the SAC, three parts made up this successful model: 1) the U.S. Attorney and the SACs had to commit, 2) they each had to give it their best people, and 3) "the very best supervisor from each agency had to be in charge."

The SAC gains confidence in the Task Force daily. He is proud of the joint raids, the case development work, and the arrests to date, although he believes "systems for intelligence development have yet to jell." He finds the FBI to be a recipient of as well as contributor to Task Force benefits. "Working this closely with IRS and U.S. Customs we've learned some strange and wonderful stuff." And "the Task Force contacts in certain cities have turned out to be better than the FBI's."

The FBI SAC knew his positive approach had been appropriate when DEA and the Treasury agencies began asking to participate in local FBI firearms and other training. They were happily accepted.

Although this level of involvement has not been realized at all twelve Task Forces Regions, it provides a predictive model with convincing results. Successful major prosecutions from Task Forces working in this team model can strongly affect the development of coordination in other districts and at core city Task Force headquarters.

The FBI has made vast contributions to Task Force investigations. It is apparent that the acknowledged resources, expertise, informants, and investigative strategies amassed in seventy-five years of experience will be fully brought to bear as the agency develops new expertise in narcotics investigations. Some Bureau rules and customs resist the adjustments necessary to Task Force

teamwork, particularly those involving security, reporting and supervisory channels, and location of the work force.

The FBI's institutional maturity is helping to shape the operational and administrative methods of the Task Forces:

- Every person-hour of agent time is closely identified, and the Bureau instruction to "give the Task Force 100 percent of its programmed agent time" is carefully complied with. This practice, monitored by the FBI Task Force Coordinator, typically results in more than the agreed-upon number of agent personnel serving the Task Force investigations, particularly in weeks when major Task Force raids or surveillances take place.
- FBI Task Force Coordinators have held national meetings and, as a group, seem to well understand their responsibilities as coordinators for a Task Force Region. They have visited FBI offices in their respectively assigned districts and are consistently aware of district cases.
- FBI Coordinators regard formal training and training coordination as an important part of their task. In some cases, they have arranged participation in local FBI courses for Task Force personnel of all agencies, raising agent proficiency and bringing Task Force personnel closer together.
- Management-oriented FBI representatives view themselves and the other Coordination Group members as the arbiters of quality control. They discuss and attend to such issues as size and importance of potential target organizations, opportunity for successful prosecutions, and the agent-hour investment a case may be expected to require. They also add experience in the technical aspects of case development and a respect for planned buildup of local narcotics violator intelligence bases to the Task Force committee-management model.

The local SAC closely controls the usefulness to the Task Force of the FBI Coordinator. Where

the SAC encourages appropriate district contact, the Coordinator knows and can influence district investigations. In cases where the Coordinator is housed at the Task Force, relations between the other Task Force agencies and the FBI are enhanced. Overall, the FBI has 35 percent of Task Force investigative strength and is involved in 75 percent of Task Force cases.

Drug Enforcement Administration

While the FBI fields the largest single Task Force contingent, this represents a small proportion of FBI agent strength (4.3 percent). DEA's 274 Task Force professionals represent almost 15 percent of its agents. DEA has worked hard to fill this large Task Force complement and, at the same time, maintain the uphill battle against narcotics crime in which the agency was already deeply engaged.

Notwithstanding some problems growing out of an internal reorganization as well as its new obligations to the Task Forces, DEA works effectively in the Task Force Program. Longstanding internal and interagency issues are confronted and are resolved or dismissed in the interest of getting on with business. According to Task Force first-year statistics, DEA and FBI are cooperatively involved in 296 Task Force cases (70 percent of the Task Force caseload); DEA and Customs, 196 (46 percent).

DEA's narcotics investigation experience, knowledge of drug distribution organizations, and close working relationships with State and local authorities have made DEA absolutely essential to every Task Force. DEA has initiated more Task Force cases than any other agency, and DEA agents and supervisors have moved purposefully into the Task Force model. Its local intelligence bases and informants have been shared with other Task Force agencies with remarkable effect in case after Task Force case.

In addition to functioning as a prime case initiator for the Task Forces, DEA has made a major contribution to the Program by sharing its special investigative expertise. DEA agents and supervisors have shared their intelligence and informants in ways that were critical to enabling Task Forces to get the desired fast start. Their unselfish counsel and demonstrations of proficiency on the job have already taught state-of-the-art drug investigation procedures to scores of Task Force agents and attorneys.

DEA field personnel express enthusiasm over many aspects of the Task Force Program and its added resources. They have been quick to capitalize on agency-specific expertise such as Customs/IRS financial investigations and FBI surveillance capacity.

"IRS and DEA have exceptionally good relations as they did before the creation of the Task Force. IRS coordination with ATF and FBI has been improved since the Task Force has existed."

DEA Group Supervisors manage agents and cases and, along with their assigned agents, are responsive to Assistant U.S. Attorneys and to the other Task Force agencies. Meanwhile, DEA Task Force Coordinators are developing their roles in the Task Forces. The SACs to whom they report generally prefer that the DEA Coordinators not move to the Task Force offices. DEA Coordinators' supervisory responsibilities have been removed, even for Task Force personnel and cases, and their influence over district investigations is somewhat proscribed by DEA boundaries. Their expertise is welcome and their experience essential to weekly Task Force Coordination Group meetings. The interagency liaison role they perform is crucial, but, particularly for those who do have desks at the Task Force offices, it is difficult to serve both the Task Force and the DEA SAC effectively.

DEA agents are usually assigned temporarily to the Task Forces, moving in and out with their cases or when their particular skills or informants are required. The intra-agency boundary is far more difficult to define and maintain at DEA, where narcotics investigation is the agency mission outside as well as inside the Task Force Program. Daily records are kept to be sure personnel assets assigned to the Task Forces total at least the authorized allocations.

DEA Task Force participants and SACs praise the Task Force Program stance that maximizes major prosecutions rather than drug-bust counts. Inspectors and other evaluators within DEA no longer use the traditional arrest counts to measure the productivity of Task Force agents and have substituted more meaningful criteria.

Some DEA field personnel regard the Task Force investigations as successful by their own standards. As one DEA agent related:

This year's success would not have happened, even if the same dollars were available, without the Task Force. There is broad sharing of information that would not have occurred, and the benefits are geometric in proportion to Task Force activity. We could never have accomplished what we have with just the money.

DEA has 28 percent of Task Force investigative personnel and is involved in a total of 403 cases, representing 86 percent of the Task Force caseload.

Bureau of Alcohol, Tobacco and Firearms

Like the other Treasury Department agencies, ATF quickly and enthusiastically joined the Task Force Program. ATF's potential contribution to narcotics investigations is more limited by statute than is that of Customs or IRS, but in most Task Force Regions the agency is shaping an interesting and valuable role for itself; ATF is the major participant in cases against outlaw motorcycle gangs.

Because outlaw motorcycle gangs are notorious dealers in dangerous drugs, the Task Force Program has targeted these gangs. It is difficult to apply the potent Task Force financial investigations, seizures, and forfeitures to bikers' gangs whose assets are often temporary and whose life style leaves no audit trail. Task Force Coordinators, including ATF Coordinators, have agreed that bikers, by virtue of their record of random violence usually involving the criminal use of guns, are perfect targets for ATF investigators. All of these cases involve two or more districts and most are interregional.

More than any other of the investigative agencies, ATF orientation and efforts center on the core city. The ATF Task Force Coordinator usually supervises a dedicated agent group. This force is typically located within the core city—a full-time investigative squad run by the ATF Coordinator.

The ATF Coordinator's dealings with the districts outside the core city are often more distant than those of the other agencies. This difference may lie in the most obvious organizational distinction—ATF is the only agency participat-

ing in the Task Force Program that program-matically requires the Coordinator to also be a direct supervisor. This has obvious advantages for command and control, and most Coordinators are making good use of their squad.

ATF overall is short of agent personnel and had virtually none trained in narcotics before the Task Force Program's inception. It has apparently cut other functions to fill the Task Force slots. The agency does need, and in many locations is getting, help from other Task Force agencies in learning to conduct investigations centering on narcotics, rather than alcohol, tobacco, and firearms. At the same time, ATF's knowledge of the criminal use of firearms and explosives and its ability to trace guns have proved invaluable to Task Force investigations. In a Task Force raid in West Virginia, for example, an ATF agent confiscated 45 guns, 10,000 rounds of ammunition, several pounds of dynamite, and a hand grenade.

The agency has been against any moves toward a lead Task Force agency and is strongly in favor of co-location of all Task Force personnel. ATF has 71 agents (or 7 percent) of Task Force overall investigative strength and is involved in 161 cases, 34.5 percent of the Task Force total.

Internal Revenue Service

If DEA, in addition to its principal functions, is the Task Force banker, and ATF its weapons specialist, then IRS is the Task Force financial expert. Its Criminal Investigation Division agents are called on to analyze the documentary evidence collected, in greater or lesser volume, in almost all Task Force cases. In addition, the Task Force Program provides an allocation of five IRS Intelligence Research Specialists to the Treasury Financial Law Enforcement Center (see Chapter 5, p. 62).

When a new case is accepted by the Task Forces, IRS typically compares all subjects and businesses for overlaps with existing IRS investigations, screens for violations of IRS statutes, and, if appropriate, initiates a request for tax grand jury approval. As new organizations and prospective defendants appear in ongoing Task Force cases, IRS follows the same procedures as for newly initiated cases. IRS is also an initiator of Task Force cases. Either on its own or, more often, as a member of a Financial Task Force (described later in this chapter), IRS nominates major financial cases which appear to be narcotics related. The IRS Coordinator is readily available

to Task Force agents as more specific inquiry develops.

The access that IRS agents have to Federal tax information and the subsequent use of tax information in the investigation and prosecution of non-tax crimes are not yet widely appreciated, even within the law enforcement community. A new understanding of this tightly proscribed but powerful capability has made IRS the most celebrated addition to the Task Forces. Tax information access is proving to be a powerful Task Force tool. Other IRS contributions include the whole gamut of investigative techniques, and its clearly defined, non-overlapping statutory authority has encouraged other agencies to place great trust in IRS's capabilities.

"The Task Force not only assisted IRS in cutting some of its own red tape (by expediting IRS review and approval procedures) but also assured IRS that its tax counts would be included in the prosecution, even if they took longer to develop than DEA's drug charges. Additionally, the fact that the investigation was part of a Task Force case helped obtain faster responses to requests for assistance from offices in other districts."

In order to be a fully effective Task Force member, IRS has gone a long way toward streamlining its procedures for approval of Title 26 charges. These now bypass review by regional counsel and go directly to the Tax Division of the Department of Justice for approval. This has reduced the time required for review and approval from as long as six months to as little as three days in emergencies, making other agencies much more willing to entertain tax charges associated with the drug charges in Task Force cases. As a result of these changes, IRS is now deeply involved in most Task Force cases.

As Task Force agents, IRS criminal investigators can initiate more cases. They also work on more cases initiated by other agencies and are brought in at earlier stages. IRS contributes to broader cases than those involving pure money-flow. This has made work more interesting for IRS Task Force agents and more effective in terms of major coordinated prosecutions.

IRS Task Force Coordinators see their functions as:

- Coordinating activities with other agencies within the Task Forces;
- Ensuring that the cases being worked are appropriate and that resources are applied effectively to those cases;
- Coordinating with the U.S. Attorneys in all Task Force districts to make sure IRS resources are applied effectively;
- Advising Assistant U.S. Attorneys about what IRS can do and should be doing in Task Force cases; and
- Participating in Coordination Group meetings to review case proposals and the development and progress of cases from an IRS perspective.

IRS Coordinators typically report to the local IRS SAC but are housed at the Task Force. The fact that IRS regional boundaries do not coincide with Task Force boundaries complicates the coordination of activities in the districts. In most instances, IRS Coordinators are not agent supervisors but manage the case activities of IRS agents who are assigned to the Task Forces on a full-time basis. Agents are co-located with the Task Force or are available for co-location at the direction of the Assistant U.S. Attorney Task Force Coordinator.

Some real issues come between IRS's potential investigative power and what it has been able to deliver. The most serious limitations have their basis in statute and/or department regulations:

- Statutes make it a crime for IRS employees to make a willful disclosure of information contained in individual tax files. Since this constraint applies until IRS has received permission from the Tax Division to participate in a grand

jury investigation, it inhibits open exchange of information during developmental stages of an investigation. Outside the Task Forces, IRS is perceived to be of little help in developing targets for subsequent investigation. Once grand jury approval has been obtained, IRS is able to cooperate fully and openly share tax information. Procedures have recently been implemented that will streamline the process by which IRS and the Department of Justice authorize a grand jury investigation.

- None of the Task Force investigative agencies have common boundaries with the judicial districts. This creates administrative problems for all and special problems for IRS. For example, if a grand jury has jurisdiction over two or more IRS districts, both of the District Directors must approve the grand jury application. Even in the single district case, approval of the Tax Division often becomes the critical path, leaving other agencies reluctant to cooperate in generating tax cases.
- Some Task Force Coordinators and agents, while praising IRS's role on the Task Forces, find the agency a limited partner for drug investigations because of its customary reliance on overt activities, not a suitable approach for drug work. There are times when it is wise to allow simultaneous overt and covert operations, as the combination of the two may often yield greater results. Tracing narcotics proceeds with the assistance of the tax grand jury can result in "stirring up" activity, such as the liquidation of assets or drug inventory out of fear of discovery or seizure. Overt investigative techniques, however, can also jeopardize the secrecy of an ongoing covert operation, causing suspects to flee or even risking the well-being of agents working under cover.

Other issues affecting IRS's participation are:

- IRS Special Agents are being asked to utilize their financial expertise in the tracing and disposition of narcotics pro-

ceeds without necessarily conducting a criminal tax investigation. Treasury Department managers look to IRS to bring tax cases. They are willing to allow IRS to assist other agencies in cases that may not result in such charges, but if this sort of assistance is predominant in IRS's association with Task Forces, managers may rethink their commitment of resources to the Task Force Program.

- IRS believes that co-location of agents working on a case provides the principal opportunity for Task Force progress. As the agency most often called upon to be the Task Force "custodian of records," IRS believes it can only hold them properly and still make them immediately available if all agents are co-located.

IRS has 18 percent of Task Force investigators and at year's end had participated in 318 (68 percent) Task Force cases.

U.S. Customs Service

Customs is a full partner in the Task Forces, limited only by personnel shortages at some core cities. It participates with IRS in various Financial Task Forces that generate new narcotics-connected cases and performs other case development and investigative tasks as assigned. Under the Task Force Program, thirty-three additional Customs Intelligence Research Specialists are assigned to the Treasury Financial Law Enforcement Center (TFLEC), located at U.S. Customs Headquarters in Washington, D.C.

TFLEC is responsible for collecting, correlating, and analyzing data obtained under the reporting provisions of the Bank Secrecy Act. Through analysis of the financial data and related information, TFLEC independently identifies priority financial investigative targets that meet suspect transaction criteria. This information is then provided to field operational units, including Task Force elements, for investigation into the source and origin of the funds. TFLEC analysts continue to develop new investigative methods, such as the Mirror Image Program Task Force File, which will enable each Task Force to display master file data directly on its own computer. For example, evidence and information generated by an investigation can be tracked and extracted chronologically by name, subject matter, code name, and

association through special search queries (also see Chapter 5, p.62).

The U.S. Customs Task Force Coordinator, in addition to the functions called for in the *Guidelines*, provides entree, in all legally appropriate cases, to the Title 31 tools—Cash Transaction Reports, Currency or Monetary Instruments Reports, and foreign bank deposits. The Customs Coordinator is the Task Force's primary point of contact with TFLEC for purposes of screening accused individuals and banking institutions and for originating Bank Secrecy Act investigations. The Customs Coordinator reports to the local SAC and is formally charged with coordination of Customs's participation throughout the Task Force Region. Most Customs Coordinators do not supervise the Task Force Customs agents but do coordinate their Task Force investigative work.

Customs personnel strongly support housing Task Force personnel together. The Task Force Program principle of decentralization does not lend itself to the establishment of a cohesive national identity and centralized management. Customs SACs and Task Force Coordinators insist that in this decentralized environment, unified identities within each Task Force are essential. Neither they nor agent personnel of other Task Force participating agencies claim co-location will guarantee cooperation or coordination, but they all concur that it cannot be as fully achieved without it. With 142 Task Force agents, Customs, when it reaches full strength, will represent 14 percent of the investigative forces. Customs is currently involved in 48 percent of Task Force cases.

Other Agencies

U.S. Marshals Service

U.S. Coast Guard

Immigration and Naturalization Service

These three agencies participate in the Task Forces in varying capacities according to local and national requirements.

The U.S. Marshals Service has a Deputy Marshal, usually with the rank of inspector, assigned to every Task Force as a "liaison official" as called for in the *Guidelines*. The liaison role ranges widely from location to location but usually consists of coordinating services according to requests from the Assistant U.S. Attorney Task Force Coordinators. These include tracking and arresting fugitives, witness protection, prisoner movement, warrant service, seizure and management of prop-

erty, and participation in raids and searches. These functions become more vital as Task Force cases move into the later stages of prosecution.

Without Task Force personnel funding, the Coast Guard has provided full-time representatives to several Task Forces. These personnel provide valuable services ranging from legal work (two are attorneys) to coordination of Coast Guard activities where they might affect development of Task Force cases. The Task Force case management system operates on an advanced computer system obtained by the Coast Guard using Task Force funds.

The Immigration and Naturalization Service (INS) is available to Task Forces as needed. On the national level, INS participates in an advisory capacity when its particular interests and expertise coincide with Task Force requirements.

Summary

At this early stage of Task Force Program evolution, coordination of case development and prosecution is generally effective. When uninhibited cooperation is slow to occur, it is not permitted to imperil the selection, investigation, and prosecution of solid drug cases.

Notwithstanding some contrasting agency positions over authority and jurisdiction, Task Force associations and interactions have brought considerable cooperation to investigative and prosecutorial arenas where it was previously absent. As might be expected, the principal Federal agencies, each with a different mandate and institutional history, approached Task Force case development differently. The Task Force concept requires these differing approaches to converge in commonly regulated methods to reach common goals. Requirements in the *Guidelines* for coordination of effort are reasonably explicit. Wherever coordination was slow to come, the issue has been forced.

The imposition of the Task Force on the agencies compels a certain amount of cooperation. But most often, cooperation has stemmed from the opportunity to work in concert toward goals of national significance. As the number of successful Task Force prosecutions grows, mutually supportive investigative methods are reinforced and are becoming institutionalized.

In many of the cases discussed, respondents said that the Task Force difference rested in the ability to orchestrate cases through a range of Federal jurisdictions (of different agencies, or different districts within a given agency) in a manner not otherwise possible. Even in the least developed

This case, "Jailbirds," is consistent with the Task Force mandate to target prison gangs, and illustrates:

- Inter-district coordination and cooperation;
- Heavy and early attorney involvement;
- Multi-agency cooperation; and
- Importance of Task Force funds (for necessary travel and translation expenses).

Agents in a major eastern city learned from an informant that one of the city's drug convicts, now in a Federal prison in the Midwest, was continuing to deal in drugs by using the telephone in the prison's Alcohol Treatment Unit (ATU), where he was being held. On the basis of this and other information, a Task Force Assistant U.S. Attorney obtained a warrant for a tap on the ATU phone, to be monitored by agents from DEA and FBI. The tap soon revealed that a flourishing organization was operating out of the ATU, and authorization was obtained to extend the intercept in order to capture as much detail as possible.

The prison tap authorizations included seven inmates as targets. Although a sign posted over the ATU telephone warned that calls might be monitored, the inmates conducted what turned out to be a substantial drug trade, often using code language but frequently talking "in the clear."

The taps revealed that a former inmate of the same prison, now completing his sentence at a halfway house in Miami, was serving as a source of supply for his former fellow inmates. He was free to leave the halfway house during the day, when he would obtain the drugs that had been ordered and ship them to the prison or other destinations. Elements of the enterprise were eventually discovered in Tennessee, Indiana, Kentucky, Illinois, New York, and Georgia.

To substantiate the information obtained by the phone tap, warrants were obtained and a search was made of the ATU prisoners' cubicles. The search turned up drugs and records relating to drug transactions. The search also prompted the prisoners to alert their cohorts to the situation by telephone, and, of course, those phone calls were also intercepted and provided additional evidence for the case against the conspirators.

These prisoners, all located in a unit supposed to provide treatment for alcoholics, were able to continue to deal in drugs on the outside, through their confederates. They were able to maintain a steady flow of drugs into the prison, where the price of the drug was seven to eight times greater than on the outside.

The entire investigation had to be carried out away from the prison itself, and with the awareness of only the highest prison administrators. In addition to involving the two Task Force investigative agencies (FBI and DEA), it required the full attention of an Assistant U.S. Attorney from the eastern city and one from the Midwest, where the prison was located. Additional investigative support was drawn from several other jurisdictions where the operation had spread its tentacles.

In all, over 8,500 phone calls were intercepted, about half of them in Spanish. Task Force resources made it possible to employ translators who could provide rapid reports of the calls' contents, enabling the investigative team to meet the court's reporting requirements, and to permit prompt follow-up of perishable leads.

The operation culminated in the filing of two indictments, one in the East and one in the Midwest. Together the two indictments charged eight present or past inmates of the prison and fifteen of their colleagues outside with conspiracy to possess and distribute narcotics, attempt to possess, distribution of narcotics, and use of wire communications to facilitate narcotics transactions. Trials were promptly scheduled for early 1984.

JAIL-BIRDS

of the Task Forces there are positive elements that relate to new types and levels of Federal agency cooperation, and they are directly attributable to the Task Force Program.

"One current investigation is a good example of how the Task Force prompted interagency cooperation where there probably would have been none. The case involves a major marijuana and cocaine trafficking organization with ten to fifteen subjects, and the Task Force is aiming for CCE charges and substantial asset forfeitures. IRS initiated the investigation and, using intelligence provided by ATF, developed most of the evidence in the early stages. Through the Task Force, IRS requested assistance from DEA, and together the two agencies developed some good informants and began to make significant inroads into the organization. Outside the Task Force framework, IRS might not have asked for DEA participation lest, when the case came to court, the drug charges replace the tax counts IRS had developed."

In essence the Task Force Program is another in a series of attempts to harness the separate and distinct capabilities of Federal enforcement agencies and employ them jointly, this time specifically against the tightly knit network of narcotics racketeers, financiers, and traffickers. The plan has been well received in most locations and from agency to agency. The Treasury agencies have embraced the Task Force Program, with only one reservation—that it not be directed by any Department of Justice entity other than the U.S. At-

torneys. DEA, having just undergone a centralizing reorganization which also placed it under the FBI Director, has attempted to share its drug investigating mandate without losing its identity. The FBI has, to a large extent, tasked the core city SACs to help develop the Task Forces as they see fit.

The U.S. Attorneys have quietly played a guiding role in Task Force development. In all cases they have selected top coordinators and assigned the best Assistant U.S. Attorneys they had or could hire. They have increased their commitment to drug law enforcement. In core cities and districts they have guided and supported their fledgling Task Forces with evenhandedness and effective public relations techniques, resulting in a consensus among SACs and Coordinators that the U.S. Attorneys have provided outstanding leadership in the establishment and early operation of the Task Force Program.

All agencies have honored the Task Force concept by assigning excellent agents and giving them both the leeway and support necessary to be effective within the Task Force framework. The strong motivation within all agencies to mount an organized effort against the emergency of drug abuse has taken priority over turf concerns or resistance to change. The Task Force Program does work; its cost effectiveness can only be determined over the coming years as the cases so far developed reach the courtroom stages.

State and Local Law Enforcement Participation in the Task Force Program

One specific Task Force objective stated in the Guidelines is:

To work fully and effectively with state and local drug enforcement agencies . . .

To facilitate the collaboration with State and local law enforcement elements, the Task Force Program encourages, where appropriate, the cross-designation of Federal attorneys and State and local attorneys; the deputation of State and local police officials as Special Deputy U.S. Marshals; the payment of certain overtime, travel, and per diem costs for State and local officials engaged in Task Force work; and the signing of agreements to set forth the nature of the understanding between the Task Forces and the State and local jurisdictions. While not without some shortcomings, State and local cooperation with the Task Force Program has been successful and productive.

Cross-Designation of Attorneys

Task Forces use cross-designation in widely varying ways. Cross-designation has not taken place at all in several Task Forces, while in others it is highly developed and utilized. The practice makes it possible for designated Federal attorneys to participate in State court prosecutions, or for State attorneys to participate in Federal prosecutions. In one district, four State or local prosecutors have been designated as Special Assistant U.S. Attorneys for participation in certain cases, and one Assistant U.S. Attorney has been designated as a State's attorney under the State's statute. The situation there is well described by one of the State's attorneys who participates in the Task Force Program:

Up to a few years ago, State and Federal agencies accused everybody of stealing their work product. When we were able to bring in the U.S. Attorneys at a very early stage, we used them to help us settle disputes among agencies and didn't worry about who would get the credit. It takes a long time to train a policeman not to be suspicious of Federal agents. One of the things we have been able to do is to call the U.S. Attorney's office and get the Assistant U.S. Attorney's word that, whatever happens, the officer will continue to be involved in the case. He'll be able to go on the raids, get his picture in the paper, sit at the witness table, testify, all that. It just helps wipe out that reluctance to talk to Federal agencies.

The present State's attorney was an Assistant U.S. Attorney who worked for the U.S. Attorney. He sold him on the concept that's now spreading around the country—cross-designation. Now, early in the investigation, the whole dynamic is changed. It doesn't matter whether it's Federal or State. We'll be sitting at the trial table, whichever court it goes to. Now it's no problem which jurisdiction we go to, and the political dynamic is better, because we won't be accused of not being able to handle the big case, because we will be there.

Since the inception of the Task Force Program, the increase in the number of cross-designated State and local prosecutors serving as special Federal prosecutors has been dramatic. According to records maintained by the Executive Office for U.S. Attorneys (EOUSA), there were normally about 40 such cross-designations on record in a given month in early 1983. By September, the number had doubled and by the end of the year, there were 137. Most of the new cross-designations are in support of Task Force cases.

Accurate figures for the numbers of Federal attorneys cross-designated to participate in State or local prosecution are not available. EOUSA does monitor this activity, however, and reports that all such cross-designations currently reported are within the Task Force Program.

Not all Task Forces are utilizing the cross-designation approach extensively or effectively. Some jurisdictions do not find it necessary or desirable to share prosecutorial responsibilities. In some instances, cross-designation attempts have been frustrated by the length of time required to process requests for Federal designation of State and local prosecutors. An extensive background investigation is required before a nominated attorney may be designated as a Federal prosecutor; thus, the case may be completed before the background investigation.

The Task Force cross-designation effort has caused a substantial increase in the number of State and local prosecutors who are active in Federal courts, resulting in enhanced collaboration between Federal prosecutors and their State and local colleagues. Though most Task Forces do not make full use of cross-designation, they do maintain close working relationships with State prosecutors and decide jointly what kinds of charges to place in State or Federal courts.

Deputation

In order to make possible the full participation of State and local personnel in Task Force investigations, Task Forces are encouraged to have cooperating State and local investigators deputized as Special Deputy U.S. Marshals. Deputation enables State or local police officials to function as law enforcement officers outside their normal jurisdictions. Thus, as a Special Deputy U.S. Marshal, a local police officer from Denver can participate legally in investigative work in California or Florida; a West Virginia State Police officer's authority to pursue a case's investigation does not end abruptly at the Pennsylvania State line. Deputation enhances State and local law enforcement officers' ability to participate

in Federal investigations. It also provides the Task Forces with a substantial additional pool of personnel.

Frequently—estimates vary, but the frequency is high—drug cases originate at the State or local level. A police officer makes a bust and subsequent developments expand the case. The police department shares its information with DEA or another Federal agency, in order to obtain information on the pusher's other criminal activity, for instance, and a larger case is begun. As the Federal agencies become involved, violations of Federal statutes, which sometimes carry heavier penalties than State laws, come to light. The result may be prosecution in a Federal court. Such Federal prosecutions have often not reflected the substantial contributions of the State and local forces, because their investigative role may have been inhibited. With a broader policy of deputation, their role is expanded. Not only are those agencies credited more properly for their contributions, but, with deputation, the State or local officer may testify as a local police officer and as a Special Deputy U.S. Marshal.

This practice did not begin with the advent of the Task Forces. It is part of Task Force Program policy, however, to encourage the use of deputation.

Payment of Overtime and Other Costs

State and local law enforcement agency budgets are often stretched to the limit. In order to encourage greater participation of these agencies in Task Force operations, the Task Force Program budget provides funds to help these agencies meet the costs of participation. These funds are used in two ways. One is the payment to State and local law enforcement agencies for overtime costs incurred when their personnel are involved in Task Force operations. The other is the reimbursement to those agencies for travel and per diem costs incidental to Task Force operations.

The FY 1983 allocation for payments to State and local law enforcement agencies was \$1,628,000, the total amount of which was obligated prior to the end of the fiscal year. The FY 1984 allocation is twice that amount. Each Task Force has an allocation of funds for this purpose, which is not to be exceeded. A reserve fund is maintained in Washington to permit an appropriate response to special or emergency needs.

Sixty-four agreements for Federal reimbursements to State and local agencies were signed by the end of 1983. They range from \$1,500 to

\$90,000. These agreements provide that personnel assigned to Task Force operations may be reimbursed with Federal funds for overtime costs (not to exceed in any year 25 percent of the salary of a GS-10, Step 1, per person) and for travel and per diem costs incurred. In many instances, the Federal payment of these expenses is highly effective in enabling State and local enforcement agencies to participate fully in Task Force operations. One FBI SAC, noting that there was extensive cooperation with the local police department even before the inception of the Task Force Program, added that "the Task Force money for overtime and expenses has made a world of difference."

A number of jurisdictions, however, are not able to take advantage of this provision. Some State and local jurisdictions have laws prohibiting the use of funds from other jurisdictions as salaries for law enforcement personnel, but in some of those cases payment of travel and per diem expenses may be covered by Federal funds. In some other instances, State and local agencies have declined to accept proffered Federal funds, fearful of a loss of their independence. This attitude, however, has not diminished the contribution of those agencies to the Task Force Program. Numerous jurisdictions have cooperated wholeheartedly with the Task Force Program without Federal reimbursement agreements.

Enhanced Collaboration

Atlanta: On invitation from the Task Force in Atlanta, the Georgia Bureau of Investigation (GBI) assigned a GBI officer as a full-time member of the Task Force Coordination Group. The officer works at the Task Force office and is a full participant in the deliberations of the Task Force Coordination Group.

The GBI's Investigations Division has a complement of about 250 agents, of whom 40 are assigned to the Narcotics Unit (although about 100 are involved in narcotics investigations). As of last November, two of the GBI's narcotics agents were assigned full-time to work on Task Force cases. When the Task Force found an urgent need for additional personnel for a case in Savannah, the GBI Task Force Coordinator was asked for help. "How many and when?" he asked. He was told that nine agents would be very helpful, as soon as it could be arranged. Nine agents were on duty the following morning in Savannah. The GBI has

informed the Task Force that it will commit as many personnel as the Task Force requests.

This is not a one-way street, benefiting only the Task Force. The GBI Coordinator points out with pleasure that Task Force participation makes all the difference in pursuing narcotics traffickers. Not only is it a matter of greater fiscal resources, permitting bigger buys and access to higher levels of the drug organization, but it also provides a wider range of resources and abilities, and an extensive network that enables a Georgia case to be coordinated with one in California in a manner never before possible.

Wheeling: An integral part of the Task Force in the Northern District of West Virginia is the West Virginia State Police, which has assigned six officers to the Task Force on a full-time basis. This situation is a prime example of symbiosis. The DEA has a small complement in the State of West Virginia. The State Police has limited numbers of personnel, too, and does not have access to the expertise and the resources that the Federal agencies can command. Combining personnel and other resources result in a much greater return for each dollar invested, for both the Task Force and the State Police.

Not only does the State Police bring person-power to the effort, it also constitutes an invaluable source of intelligence, at a local level, that the Federal officers cannot match. Awareness of what's going on in the community is valuable intelligence, as illustrated by one case where State Police officers learned, through "neighborhood gossip," that an unsuspected individual was spending enormous amounts of money. In less than a year, this person bought more than \$1.5 million worth of real estate. A bit of scrutiny revealed that the source of income was narcotics dealings, and he is now the subject of a Task Force investigation. In another case, a man with a West Virginia address was arrested in Florida. The man had a great deal of money, which Florida authorities assumed was legitimately acquired. But, when a routine check was made in West Virginia, it was determined that the man had no known source of income there either. The result was a new narcotics investigation.

An example of the extent to which Federal, State, and local officers can and do complement each other's work is the following roster of participants in a marijuana search raid in the vicinity

of Parkersburg, in November 1983. Present were four West Virginia State Police, three IRS Special Agents, one FBI Special Agent, two county sheriffs, and two local police officers: a total of twelve people from five agencies, of which two were Federal, one State, and two local. Each agency had its own role, responsibility, and expertise, and all worked closely together as a Task Force team.

The six full-time, Task Force-assigned West Virginia State Police officers have all been made Special Deputy U.S. Marshals, affording them access to sensitive and legally protected investigative information. Here, as elsewhere, however, their supervisors, who are not so deputized, may not receive that information. While it is not normally desirable for an investigator to withhold information from a superior, the West Virginia State Police permits the situation in the interests of better drug prosecutions.

Detroit: The Michigan State Police is developing into an integral part of the Task Force mechanism. A police lieutenant attends Task Force meetings on a regular basis, and a complete two-way dialogue is growing, according to the U.S. Attorney in Detroit.

The Michigan State Police has placed one full-time person in the Task Force office in Detroit, who facilitates the exchange of information and serves as a coordinator. Both Michigan State Police and Detroit Police Department personnel are active in Detroit's Task Force cases. The Michigan State Police lieutenant has subsequently become a full-time coordinator-member of the Great Lakes Task Force.

Omaha: An Omaha Police Department (OPD) investigation in 1982 led to the identification of a major cocaine network. The OPD shared the case with the FBI, and in 1983 the case was brought to the Task Force. Labor-intensive electronic and physical surveillances made heavy personnel demands, as did the massive arrests of forty-four suspects in June. Working side by side with Task Force personnel from FBI, DEA, and IRS were police officers from the OPD, Bellevue Police Department, Nebraska State Police, Douglas and Sarpy Counties Sheriffs' Offices, and Iowa's Division of Criminal Investigation and Pottawatomie County Sheriff's Department.

OUT WEST

This case, entitled "Out West," illustrates:

- Collaboration of a Task Force with State and local law enforcement agencies;
- Early and intensive involvement of attorneys during an investigation; and
- The heavy investment of time and resources needed to conclude successfully a complex drug case.

In a western State, a city patrol officer stopped a sports car for a traffic violation. While questioning the driver, he noticed a gun and a vial of white powder in the car. He arrested the driver and passenger. Analysis showed the powder to be cocaine. Later, the passenger agreed to cooperate with law enforcement officials and described his role in one of the largest drug organizations ever to operate in the State. He had served as the pilot for the ring, importing over \$12 million worth of cocaine from Colombia. The cocaine was distributed in a number of western States. The ring used several legitimate businesses to launder its drug profits.

The city's law enforcement system soon found itself engaged in an investigation too big to handle alone and sought assistance from the DEA. The case was selected for the Task Force early in 1983. As the investigation developed, it came to include prosecutors and law enforcement agencies in two counties; police

departments in five cities; Task Force agents from the FBI, DEA, IRS, and the Marshals Service; and three Task Force Assistant U.S. Attorneys.

Investigators used court-approved wiretaps and other electronic means for surveillance of the suspects' homes and businesses. They maintained physical surveillance of the suspects' activities and movements across several States. Almost a year after the traffic incident, investigators conducted raids on several of the suspects' homes and businesses, seizing over \$1.5 million in cash and numerous gold bars from one residence.

A few months later, a Federal grand jury returned a thirty-count indictment against thirty individuals, including nine Colombian nationals. CCE charges were filed against two of the leaders. Nine defendants entered guilty pleas. The others are expected to stand trial.

The defense attorneys filed more than a hundred pretrial motions to have wiretap transcripts and other pieces of evidence suppressed. The pretrial motions consumed almost six months and engaged the full attention of the three Task Force attorneys assigned to the case. The bulk of the evidence was preserved intact.

The investigation spanned fifteen States. It utilized the resources and varying skills of seven city and county law enforcement agencies, four Federal agencies, prosecutors from two counties, and three Federal attorneys. It took more than two years, from the traffic violation incident to the beginning of the trial.

The heavy demands on technical skills, equipment, and personpower that contributed to this successful operation could only be met by joining the resources of multiple Task Force agencies with those of these seven State and local agencies. The ability to put together very large teams for such purposes is extremely beneficial both to the Task Forces and to the State and local forces that, as in this case, so frequently do the original spadework in drug cases.

Not all Task Force offices enjoy full-fledged cooperation from State and local law enforcement agencies. There are instances where concerns about integrity and levels of professionalism inhibit the fuller integration of State and local personnel into Task Force cases. A few, and fortunately there are only a few, jurisdictions have histories of police corruption; and the access to huge sums of money derived from narcotics dealing is an immense corruptive power. Consequently, selectivity is often a necessary adjunct to involvement of State and local agencies in Task Force cases. As one Assistant U.S. Attorney Task Force Coordinator with extensive experience as a local prosecutor put it, "Everybody around here knows who the crooked cops are, or the crooked DA's or judges. We just avoid them."

Another obstacle can be indifference. One Task Force, for example, enjoys a very close working relationship with the half-dozen or so police departments in its immediate area. In one nearby resort city, however, an attitude of "live and let live" applies to the dealers of marijuana and cocaine, who are "respectable" people providing "recreational" drugs to "respectable" people. The Task Force receives no cooperation in that city. The same consideration of "respectability" is found in numerous other communities, making the work of the Task Forces more difficult.

Summary

While the record is uneven, many Task Force elements are still developing the full use of the resources represented by State and local law enforcement personnel and prosecutors. Obstacles remain, nonetheless the Task Forces have made substantial progress toward integrating their efforts with those of their colleagues at the State and local levels. The results are superior investigations, better prosecutions, and an environment of improved working relationships.

Financial Investigations, Seizures, and Forfeitures

As with many criminal enterprises, the principal inducement to trafficking in narcotics is money. The vast amounts of dollars that change hands enrich the criminal traffickers but also pose an extremely difficult problem for them. Those dollars are often in small denominations of ones, fives, tens, and twenties. The small bills become too numerous and bulky to handle inconspicuously. As large amounts of money accumulate, the trafficker must convert it from cash to some other form. Some traffickers spend excessively; many put the cash into other asset forms, such as bank accounts or investments; and virtually all reinvest large amounts of money in additional supplies of drugs.

These large-scale money movements provide law enforcement agencies with an opportunity to detect criminal dealers. In their efforts to avoid detection, traffickers often make illegal currency transactions. Almost always, the traffickers fail to pay their full share of income tax. The Task Forces are emphasizing the use of financial investigative techniques to:

- Identify traffickers;
- Determine their criminal liabilities for illegal currency transactions and tax evasion;
- Develop further proof of involvement in drug trafficking; and
- Deprive traffickers of further enjoyment of their illicit profits.

As stated in the *Guidelines*, the Task Force Program's objective is:

To make full use of financial investigative techniques, including tax law enforcement and forfeiture actions, in order to identify and convict high level traffickers and to enable the government to seize assets and profits derived from high-level drug trafficking . . .

A number of financial investigation groups existed prior to the Task Force Program. Their successes encouraged the growth of additional financial investigative teams. Many of these groups have been incorporated into Task Force offices. Most

Task Forces have a designated financial investigation specialist. The specialists are either Assistant U.S. Attorneys or investigative agents who are expert in tracking the paper trails of financial activity. Seven Task Force core cities and several more districts have the benefit of a Financial Investigations Unit or Financial Task Force. Some of these operate outside the Task Force structure. Usually, however, the participation of a Task Force Assistant U.S. Attorney, IRS agent, and Customs agent is crucial to the operations of such a group. Though five Task Forces lack financial investigation groups, there are active financial investigations under way in support of ongoing cases in each Task Force Region.

Identifying Narcotics Traffickers

A particular value of one kind of financial investigation is that it can lead to the identification of individuals never previously suspected of having any connection with the drug trade, but who are knowingly and willfully participating in narcotics trafficking. These are the bankers, lawyers, or financiers who hide behind their respectability while enjoying the fruits of their crimes. This approach is analogous to, but much more sophisticated than, the instance cited earlier in this report, in which a West Virginia man became a suspect by virtue of having bought over \$1.5 million worth of real estate in a year without any apparent or legitimate source of income. Unexplained money transactions create a suspicion. That suspicion must be followed by much additional investigation to establish whether drugs are indeed the source of the unexplained income.

Pioneered on a large scale in conjunction with the South Florida Task Force, computerized data analyses are being used by the Task Force Program to discover unusual patterns of money movements through the banking system. These analyses rely primarily on reports that banks and individuals are required to complete at the time of certain transactions. One important record of this sort is the Currency Transaction Report (CTR), which banks and some other financial institutions must complete whenever a customer engages in a cash transaction of more than \$10,000. CTRs are filed with the IRS and recorded in a data bank. Through computer analysis of CTRs, it is sometimes possible to identify individuals engaging in repeated transactions of this size, and to sort out those with legitimate reasons to do so (e.g., retail stores) from those who remain suspect. This analysis can lead to further investigations. Similarly, one may be able to iden-

tify bank accounts to which large amounts of cash are frequently deposited.

Similar methods are used to analyze Currency or Monetary Instruments Reports (CMIRs), which must be filed when large amounts of money (over \$5,000) are taken out of the country, and the Foreign Bank Account Reports (FBARs), which are required of anyone with a foreign bank account exceeding \$1,000 in value. Investigators also use other banking records such as wire transfers and bank examination reports. Investigations of this sort are often very time-consuming and require a high degree of technical skill. Agents of IRS and Customs are particularly well-equipped for such investigations.

To support financial investigations, Customs maintains a central data bank, with access to a variety of Federal records such as CTRs and CMIRs. This office, called the Treasury Financial Law Enforcement Center (TFLEC), is staffed with experienced Customs and IRS analysts who can comb the data in response to Task Force requests. Task Force queries to TFLEC are forwarded via Customs' on-line computer facilities. One part of the Task Force Program's allocation of personnel was to augment the staff of TFLEC with almost forty new analysts. When asked to do so by a Task Force, TFLEC can perform a macro-analysis, examining banking patterns within an entire Federal Reserve area, for example, in order to find banks whose practices are anomalous and who may be dealing with large amounts of drug funds. This technique has been used on a number of occasions in Florida and elsewhere. Or, on a much smaller scale, TFLEC can examine individual accounts or records, or can analyze the relationships between identified accounts.

The Task Forces are trying to identify money launderers and drug dealers, and financial institutions that are knowingly working with these criminals. Task Forces are still at a relatively early stage in this area, because the processes involved are highly sophisticated, technical, and time-consuming. In the Great Lakes Task Force both Detroit and Cleveland have established Financial Task Forces, composed of Assistant U.S. Attorneys, and agents from Customs, IRS, and other agencies. Charleston, South Carolina, has been highly successful in applying the skills of a Financial Task Force to the job of identifying unknown persons in the narcotics trade. The Task Force in Boston has a highly skilled team working to mine this lode.

Financial searches are not always successful. The extensive data resources and analytical capabilities of both TFLEC and the Task Force financial investigation groups make the probability of success far greater than before, but there are still problems. Perhaps the most frustrating result has been the discovery of financial irregularities that do not relate to drug transactions. While it is considered a truism that almost all major narcotics traffickers engage in financial irregularities, other criminals also seek ways to conceal their illegal money deals. These may be operators of gambling or prostitution rings, for example, or oil resellers, or pension fund "skimmers." Sometimes the financial anomalies discovered lead to these other criminal sorts. This problem has initiated a debate as to the propriety of supporting Financial Task Forces that may generate non-drug and non-Task Force cases. But the attitudes of those Task Forces that are using this approach is perhaps best expressed by one of the Assistant U.S. Attorney Task Force Coordinators:

Our emphasis has to be on the "pro-active" approach, rather than creaming the cases that just appear. You've got to be willing to risk failing a lot to gain a lot. You may put two years into making a case, before you know for sure whether it is the right case or not. You don't know what the outcome will be when you start, or whether it is the right case. But that is the only way you can get the real big rewards.

Another aspect of the financial approach to the identification of drug dealers and their transactions is exemplified by the Atlanta office of the Southeastern Task Force. With the strong encouragement of the U.S. Attorney in Atlanta, a Task Force team has been touring the State, meeting with bankers' association groups, informing them of money-handling techniques that are common among drug dealers, and inviting the bankers to cooperate by volunteering information when such practices are seen. They also remind the bankers of the penalties that can be imposed on banks or bankers who are shown to be participating in money laundering schemes or failing to file required reports. Sometimes, in the wake of one of these briefings, a banker will come forward to report a suspicious activity, such as a "curious transaction" or series of transactions, which leads to the identification of new drug targets.

The "Moneybags" case is an excellent example of the way traffickers can be identified because of their financial transactions (see p. 66). Investigators in this case interviewed real estate brokers to learn who had been buying expensive resort properties, searched court records for mortgage and title information, questioned car dealers about purchases of expensive cars, and so on. In this manner, they were able to isolate the names of a number of big spenders and, later, to identify smugglers among them.

Proving Drug Charges

Another purpose of financial investigations is to buttress charges against drug traffickers. The CCE statute, for example, is applicable only when it can be demonstrated that the violator has obtained substantial income or resources from drug trafficking activities. In order to perfect cases against high-level drug dealers, knowledge of the amount and nature of income and its disposition is often invaluable. Careful investigation is necessary to identify the mechanisms and the individuals involved in the laundering of drug moneys, or those partners or other associates who are participating in the activity.

The case of "The Sheriff and the Dealer" (see p. 44) is one in which financial investigation tracked the Dealer's money transactions back to 1977, in order to link the Dealer with the purchase of a boat used in smuggling marijuana. This is a crucial element in proving the smuggling charges and the long-term nature of the Dealer's involvement in the continuing criminal enterprise.

This kind of financial investigation usually works against identified targets, persons who are known to be involved in the drug trade. These investigations can generate new targets, however, as they progress, by showing that known trafficker Smith, for instance, has repeated money transactions with unknown individual Jones, whom later investigation shows to be a criminal trafficker, too.

It is often only through financial investigations that the supposedly respectable professional associates of drug dealers can be identified and linked to criminal activity. In only a small number of Task Force cases—less than 4 percent of the total—have Task Forces been able to project at the outset that the case will result in charges against a major money launderer or financial backer. However, as many financial investigations proceed, a trafficker's business associates, such as lawyers and bankers, can be identified, and their roles

as launderers and financiers pinned down with clarity.

Financial investigative specialists examine any available records of financial activity pertaining to the subject of the investigation. Because of laws protecting the privacy of all citizens, such records are not always easily available to the investigators except through legal proceedings such as a grand jury subpoena. The investigators may have to rely on other sources of information during a substantial part of an investigation (before reaching the grand jury phase). This may mean identifying frequent contacts through surveillance or telephone records, and establishing the nature of those relationships through overtly available information sources. At this stage of an investigation, the range of financial materials available is limited. Personal and institutional records become available in great numbers when an investigation advances to such a point that search warrants and subpoenas are possible. At that point, a Task Force's IRS and/or Customs agents move into high gear to determine what the target's income has been, where the money has gone, who assisted in hiding the money and other assets, what the tax payments have been and should have been, and what illegal currency transactions have occurred.

Establishing Tax and Currency Violations

As long as the effect of the enforcement action is to put major traffickers and trafficking organizations out of business, it is not necessary that actual drug charges be brought. Sometimes tax and currency violations can be identified and successfully prosecuted when drug charges cannot be proved. This approach is not new, its most notable success being Al Capone. Tax violations can carry substantial financial penalties and prison sentences, often combined with seizures of assets when there is a reasonable likelihood that the criminal would place those assets out of the reach of the government to avoid losing them. A single currency violation can carry a penalty of a \$500,000 fine and five years in prison, and may effectively inhibit further drug dealing. The Task Forces are enjoined to use these weapons in conjunction with drug charges, or when drug charges cannot be proved, in order to disable narcotics enterprises.

For the most part the Task Forces have been able to make narcotics counts an integral and principal part of the indictments brought to date. In most cases, however, tax or currency charges are included in the same indictments. It can be assumed that virtually all drug dealers fail, in

one way or another, to report accurately their income from drugs. The culpability of the criminals has not changed because of the creation of the Task Forces, but the method of addressing their criminality has. In pre-Task Force times, IRS would have pursued tax and banking charges, Customs would have pursued currency charges, the FBI would have pursued money and finance charges, and DEA would have pursued drug charges. The Task Force approach places the drug, tax, and currency cases in the same file folder, and the investigations and prosecutions reinforce each other.

Task Forces do not always accomplish this without some difficulty. As noted above in the section on "Federal Agency Coordination and Cooperation," IRS's role is seriously complicated by a number of factors, including restrictions on disclosure, the case review process, and the conflict between overt and covert investigative needs. Even given these inhibitions, the contribution that IRS makes to the Task Forces' efforts is often described by U.S. Attorneys as the greatest contribution of any single agency.

Seizures and Forfeitures

RICO and CCE, the kingpin statutes, provide for forfeiture of the fruits of criminal activities under criminal proceedings. The intent is to extinguish the rights of the criminal to enjoy or further benefit from the assets or positions acquired through illegal actions, or which have been used to further those actions. This means that the Government may have the right to take ownership of all such assets, be they real estate, automobiles, equity in a business, directorships in companies, offices in labor unions, bank accounts, or any kind of goods or entitlements that the criminal has used in the criminal enterprise or obtained as a result of it.

While these statutory provisions have been available to Federal prosecutors for more than ten years, only limited use had been made of them. The Task Force Program has given these statutes new emphasis. It appears that this emphasis on criminal forfeiture provisions is bringing about significant results. The anticipated RICO and CCE prosecutions forecast in Case Initiation Forms are indicated in Table 20, p. 82. Because of the stringent requirements of proof under these statutes, it is likely that the actual number of RICO and CCE indictments will be a bit lower, but these figures are far in excess of any previous body of cases.

Further, when neither RICO nor CCE can be made to stand, civil forfeitures can be utilized in many instances. Often, the use of both civil and criminal forfeitures is desirable. Properly used they can constitute a potent combination. Legal differences between civil and criminal forfeiture actions afford prosecutors and investigators a range of flexibility that can enhance the chances of both investigative and prosecutorial success. For example, civil forfeiture proceedings can precede an indictment, but RICO and CCE criminal forfeitures are an integral part of the indictment. Thus, seizure of property under civil forfeiture proceedings can effectively "nail down" assets that might otherwise be disposed of by a trafficker who is aware that the enforcement net is being drawn around him or her. Task Force Assistant U.S. Attorneys are encouraged to use these tools to prevent the flight of assets, to secure them for the Government, to deprive the criminal of their use, and to develop additional information about narcotics traffickers.

The Government can institute civil proceedings to forfeit property used in furtherance of an illegal enterprise. In addition, a civil forfeiture can be based on an immediate demand for payment of tax liabilities. These "jeopardy" or "termination" assessments provide for seizures of assets of sufficient value to satisfy the violator's tax obligation, and need not apply only to property used in illegal activities.

Financial investigations are, of course, crucial to an effective pursuit of forfeitures. Task Forces' financial investigation groups can and do contribute to the identification of assets for forfeiture, as well as the identification of the parties to narcotics transactions. In addition, five Task Forces have designated Assistant U.S. Attorneys to serve as forfeiture specialists. Perhaps of comparable importance is the constant exhortation to maximize forfeitures. Task Forces are "thinking forfeiture" in virtually every case, and are constructing their investigations to support that approach. The results are beginning to be seen.

The tables provided in the next chapter indicate substantial increases in drug-related seizures and forfeitures. It is not possible to attribute these increases to the Task Force Program. First-year comprehensive statistics of Task Force seizures and forfeitures are set forth in Table 42, however. They reflect a total of more than \$50 million in seizures and forfeitures of cash and property, and an additional \$1.5 million in fines. As Task Force cases move to completion, it is entirely possible that the dollar value of the properties obtained through these

efforts will eventually exceed the cost of the Task Force Program.

The forfeited properties themselves can and do often contribute to the Task Forces' workings. Seized cars, for instance, may become superior surveillance vehicles, because they do not look like "cop cars." Often the forfeited properties are sold, bringing revenue to the Federal coffers. In some instances, the State and local jurisdictions share in these benefits, which reinforces their willingness to participate in Task Forces' efforts.

While most investigative agencies have authority to seize drugs, contraband, or other properties under certain conditions, the formal seizure process is a special responsibility of the Marshals Service. Seizures under the Task Force Program have been substantial during the first year, but as more cases reach fruition the demand for seizures to be carried out by the Marshals Service is expected to increase dramatically. This increase will result in greater amounts of properties to be maintained, pending final court determination of forfeiture or disposition by the Government. The U.S. Attorney is responsible for maintaining seized property, with the assistance of the Marshals Service. As the amount of properties seized increases, maintenance requirements will become more onerous. To manage the greater load, the Marshals Service is developing a National Asset Seizure and Forfeiture Program, which will support U.S. Attorneys in maintaining properties obtained by Task Force and non-Task Force prosecutions.

Seizures and Forfeitures as Investigative Aids

Seizures and forfeitures can serve both punitive and investigative ends. In addition, the mere act of seizing properties can act as a lever for the discovery of remarkable amounts of intelligence about the people who traffic in drugs.

There is perhaps no better example of this phenomenon than the "Moneybags" case (p. 66). Because many of the seizures were carried out with extremely high visibility and with maximum publicity, many of the community's narcotics criminals from the respectable strata of society became concerned that they, too, would be targeted and prosecuted by the drug enforcement establishment. As they saw how their fellow traffickers were being stripped of their assets and taken to trial, many of these professionals chose to come forward and tell all they knew, in an effort to minimize the punishments they recognized as inevitable. Many of these attorneys, financiers, and accountants were

MONEY- BAGS

This case, "Moneybags," began before the Task Force Program was initiated, but it was reinforced by Task Force resources and the Task Force mandate. It illustrates:

- The use of financial investigations to identify unknown traffickers;
- Involvement with numerous foreign jurisdictions;
- Potent and effective use of seizures and forfeitures; and
- Task Force ability to pursue an investigation over a long period of time.

In February 1982, a Southeastern Task Force district established a team of Federal agents from several agencies to use a financial approach to identify and prosecute the kingpin financiers and organizers of drug smuggling activities in the area. By May, the team was in place. (At its height, with the infusion of Task Force personnel, it included seventeen agents, from IRS, FBI, DEA, ATF, and the State's Law Enforcement Division, plus seven Assistant U.S. Attorneys.) A special grand jury was empaneled to hear all testimony in the investigation and to issue subpoenas for records from banks, businesses, real estate offices, and law offices and other documents relating to the flow of money.

There was no list of suspects to question, no files to develop, and no leads, other than the names of many low-level people. No one knew who was at the top.

Initially, a pair of agents went to a resort area, where many "high-rolling" smugglers were said to visit. They questioned realtors and developers to discover who had been buying expensive resort property; they searched court records to learn of mortgages and in whose name titles were registered; they interviewed car dealers to find out who was buying expensive imports; they questioned house and dock builders to see who was building on waterfront property. By late summer, they had interviewed hundreds, and were beginning to uncover two separate drug organizations which had been operating without detection since 1974, importing many millions of dollars worth of marijuana and hashish. *None* of the financier/organizer suspects had ever been known to any law enforcement officials before.

In September, seizures began—\$344,000 from an attorney's account, a \$100,000 piece of resort real estate, and a fashionable \$450,000 restaurant and nightclub. Seizures amounted to over \$2 million by the end of the year, including resort property in Nantucket and a \$160,000 certificate of deposit from a bank in the Bahamas. By mid-1983, seizures totaled over \$5 million.

The investigators determined that the two rings had imported about *three-quarters of a billion dollars* worth of drugs over the previous ten years, from the Bahamas, South America, and Lebanon.

An indictment against the first ring, in May 1983, charged two men with CCE violations, and another twenty-two with various drug, currency, and tax violations. Prior to indictment, eleven men, including two attorneys, pled guilty. Three more pled guilty before trial, five others were found guilty, and three were acquitted.

An indictment against the second ring charged four defendants with CCE violations, and nineteen others on related offenses. Of the major figures, one pled guilty to CCE and other charges under a plea agreement. Another pled guilty to tax, drug, and currency violations; four pled guilty to a variety of charges; four were found guilty by a jury on all counts; two others were found guilty on drug and currency charges; and one was acquitted.

In cooperation with Antiguan authorities, a fugitive kingpin defendant was located and extradited, and his \$900,000 boat seized. Information from defendants who were now cooperating with the investigation made it possible to obtain a superseding indictment against this man, now including CCE violations and multiple counts of conspiracy and drug violations, plus forfeiture of all drug profits and interests.

Other international judicial assistance was sought from several foreign jurisdictions, including the Island of Jersey, the Bahamas, and Hong Kong. Materials from these proceedings contributed to the convictions.

As of the end of 1983, the investigation was continuing, with more indictments anticipated, and still other organizations being discovered. It is expected that over one hundred traffickers will be prosecuted as a result of this operation.

previously considered beyond reproach. But when the heat of massive seizures and arrests surrounded them, they appeared, as if from nowhere, in substantial numbers.

The Task Forces are still developing their abilities to derive the greatest benefit from such investigative subtleties. The effect cited here is not always the rule. It cannot be anticipated that a rash of seizures will inspire the managers of traditional organized crime groups to step forward and confess. But this kind of lightning strike can bring gratifying results in those communities where respected professionals have been enriching themselves through criminal narcotics activity. Task Forces are able to carry this off more effectively because of their demonstrated ability to identify and seize assets, and because they constitute

a forum, among themselves, for the sharing of newly developed techniques and approaches.

Summary

The roles of financial investigation, and of seizures and forfeitures, in law enforcement are not new. The Task Force Program brings to them, however, two special and effective dimensions. The first is that the special skills of diverse agencies are combined to make these investigations effective, timely, and mutually supportive. The second is that all Task Forces are enjoined to "think financial," in terms of investigations and in terms of seizure of assets. The effect of these two factors is that the Task Forces show promise of a higher level of application of these techniques than has previously existed, resulting in superior enforcement of narcotics laws.

Drug Use and Enforcement Data

Data Collection Methodology

The type of investigations and prosecutions the Task Forces were designed to undertake—high-level, organizational, and financial—require more time to investigate and prosecute than simple interdictions or traditional buy-bust drug cases. The Department of Justice estimates that the pre-indictment phase of a Task Force investigation alone requires eighteen to thirty months, and the indictment to verdict phase from two months to a year. (See Exhibit 1, p. 18.)

Some 200 pre-indictment cases were selected from ongoing investigations during the first six months of 1983, along with approximately 60 newly initiated Task Force cases. Together these cases account for virtually all of the 1,232 indictments returned. By December 1983, sentencing was complete in only twelve Task Force cases. This first-year statistical evaluation, therefore, is skewed toward initial investigations and away from adjudication or sentencing data. Mature data regarding the relationship between investigations and prosecutions cannot be gathered until well into the second year of operations.

The initial Task Force data base exhibits the usual start-up problems, such as: developing specific definitions for the various categories, determining the points at which data should be consolidated for reporting purposes, and establishing data transmission methods which are compatible with security requirements. Some categories of data that seemed to create collection problems were, in fact, easy to collect. For example, the problem of collecting and processing indictment information was resolved by centrally collecting and analyzing all Indictment Forms as they were returned. Some items that seemed simple, like number of arrests attributable to the Task Force Program, are so obscured by overlapping jurisdictions that accurate statistical information is difficult to compile.

Some information categories specified by Congress and estimated herein, such as "the number of drug trafficking organizations

... dismantled," are highly subjective and depend on the criteria selected for their expression. Other categories requested by Congress are available in the Task Force data base but are new categories with no basis for comparison. New categories include seizures, indictments, and convictions attributable to the Task Force Program. Furthermore, this start-up year information provides a weak basis for comparison in subsequent reports. Monthly or quarterly summaries may better identify future trends of investigative and prosecutorial progress.

Almost all narcotics abuse data lack completeness since the data indicate only incidence known to enforcement authorities. (The Bureau of Justice Statistics' National Crime Survey is a notable exception.) Attempts to identify trends from street availability or price and purity indices are reported here as required. These attempts often fall short due to a myriad of uncontrollable variables such as growing conditions at the source or foreign law enforcement will and capacity.

The statistics, therefore, are presented cautiously in the following section. No inference can be drawn that the Task Forces in their first year have had more than moderate, local effect on market and user figures. Much of the Task Force data, particularly the level of persons indicted and the type of charges brought, appear to represent new and important contributions to drug law enforcement.

Anecdotal data from the twelve Task Force Regions may enable the reader to evaluate the first year of operations and judge which approaches can be further exploited and which deterrents to Task Force case development can be better controlled. The method by which this information was gathered is described in Appendix B. The field research design is subjective and depends for validity on the recollections and selection of data by trained but human observers. Yet these observations may, when carefully studied, be more useful than the first-year statistics.

National Drug Data Tables

The following tables reflect national data for each of the three years beginning with 1980. The tables are arranged in three categories: Importation/Production and Market (1, 2), Use and Abuse (3-5), and Drug Law Enforcement (6-12). The data source is identified for each table. Law enforcement data are based on Federal activity. Note that Tables 7, 10, 11, and 12 are divided by fiscal year (FY), while all other tables reflect results by calendar year (CY).

Table 1
Importation/Production

	CY 80	CY 81	CY 82	CY 83
Heroin (metric tons)	3.95	3.89	4.08	
Cocaine (metric tons)		34-45	45-54	
Marijuana (metric tons)	10,200	9,600	12,340	
Dangerous Drugs (MDU)*		3,340	3,030	

*Million dosage units

Source: DEA, NNICC, Narcotics Intelligence Estimates, 1981, 1982.

Table 2
Retail Price

	CY 80	CY 81	CY 82	CY 83
Heroin (\$ per milligram)	\$2.21	\$2.34	\$2.31	\$2.50 (E)
Purity (percent)	3.8	3.9	5.0	5.0 (E)
Cocaine (\$ per pure milligram)	.71	.79	.71	
Marijuana (\$ per kilo)	\$1,320.00	\$1,320.00	\$1,320.00	\$880.00

(E) Estimated

Source: Heroin, DEA Letter; Cocaine, DEA, "Domestic Drug Situation," October 1982; Marijuana, DEA, "The Illicit Drug Situation in the U.S. Through September 1983."

Table 3
Number of Users*

	CY 80	CY 81	CY 82	CY 83
Heroin	492 (E)	492 (E)	500 (E)	500 (E)
Cocaine	9,580		11,900	
Marijuana	31,450		31,460	
Dangerous Drugs	14,010		16,600	

*In thousands

(E) Estimated

Source: NIDA, ADAMHA Letter and National Survey on Drug Abuse, Population Projections, 1982.

Table 4
Emergency Room Mentions

	CY 80	CY 81	CY 82	CY 83
Heroin	8,710	9,667	12,640	11,500 (E)
Cocaine	4,159	4,781	6,180	6,500 (E)
Marijuana	4,128	4,678	5,293	5,350 (E)
Dangerous Drugs	17,025	15,909	15,134	13,483 (E)

(E) Estimated

Source: DEA, "The Illicit Drug Situation in the U.S. Through September 1983."

Table 5
Overdose Deaths

	CY 80	CY 81	CY 82	CY 83
Heroin	898	927	924*	900* (E)
Cocaine	169	194	202*	280* (E)
Total	1,067	1,121	1,126	1,180* (E)

*Excludes New York City

(E) Estimated

Source: Heroin, DEA Letter; Cocaine, DEA, "The Illicit Drug Situation in the U.S. Through September 1983."

Table 6
Drug Arrests

	CY 80	CY 81	CY 82	CY 83
Heroin	2,033	2,452	2,221	
Cocaine	4,069	4,288	4,393	
Marijuana	2,947	3,735	3,680	
Other	3,077	2,421	2,382	
Total	12,126	12,896	12,676	13,000 (E)

(E) Estimated

Source: DEA, Offender-Based Transaction System.

Table 7
Indictments

	FY 80	FY 81	FY 82	FY 83
Heroin	1,055	897	783	960
Cocaine	1,728	1,694	1,889	2,461
Marijuana	1,266	2,245	2,414	2,449
Other	<u>943</u>	<u>751</u>	<u>1,085</u>	<u>1,006</u>
Total	4,992	5,587	6,171	6,876

Source: Department of Justice, EOUSA data.

Table 8
Convictions

	CY 80	CY 81	CY 82	CY 83
Heroin	1,144	1,088	1,157	
Cocaine	1,737	2,001	2,115	
Marijuana	1,142	1,389	1,535	
Dangerous Drugs	<u>1,228</u>	<u>1,350</u>	<u>1,162</u>	
Total	5,251	5,828	5,969	11,241*

*1500 attributed to improved reporting

Source: DEA, Offender-Based Transaction System.

Table 9
Drug Seizures*

	CY 80	CY 81	CY 82	CY 83
Heroin (kilos)	268	231	305	495
Cocaine (kilos)	4,797	3,205	9,763	18,027
Marijuana (kilos)	1,773,098	3,078,696	3,022,551	1,948,771
Dangerous Drugs (MDU)	37,389	139,936	13,998	21,056

*Includes seizures, purchases, and samples

Source: Coast Guard, plus DEA data for all other agencies.

Table 10
Other Seizures*

	FY 80	FY 81	FY 82	FY 83
DEA	39,382	64,657	106,656	
Other Federal	<u>54,753</u>	<u>96,338</u>	<u>84,083</u>	
Total	94,135	160,995	190,739	235,000 (E)

*In thousands of dollars

(E) Estimated

Source: DEA data.

Table 11
Forfeitures*

	FY 80	FY 81	FY 82	FY 83
DEA	6,793	12,942	39,588	38,099 (E)
Other Federal	35,831	96,338	83,764	176,512 (E)
Total	42,624	109,280	123,352	214,611 (E)

*In thousands of dollars

(E) Estimated

Source: DEA data.

Table 12
Jeopardy-Termination Final Assessments*

	FY 80	FY 81	FY 82	FY 83
IRS	32,300	81,400	153,600	

*In thousands of dollars

Source: DEA, NNICC, Narcotics Intelligence Estimate, 1982.

Task Force Data Tables

The following tables present Task Force Program activities through December 31, 1983, as reported by the Task Force Regions. Tables 13 through 23 summarize Task Force cases initiated. The data are derived from Task Force Case Initiation Forms. Tables 24 through 33 summarize Task Force data as reported on Indictment Forms. Tables 34 through 37 present data reported on Sentencing Forms. These tables indicate the disposition of charges against individuals whose Task Force prosecutions are complete and who have been sentenced. Task Force-generated seizures, forfeitures, and fines are detailed in Tables 38-42. The case monitoring system, from which most of these data derive, is described in Appendix A.

In the first year of operation, the Task Forces initiated 467 cases. There have been 264 separate indictments returned in 120 cases against 1,232 individual defendants. The defendants have been charged with a wide range of offenses including 71 charged under the Continuing Criminal Enterprise (CCE) statute and 90 charged with violating the Racketeer Influenced and Corrupt Organizations (RICO) statute. By the close of CY 1983, 337 defendants had been convicted and 216 of the convicted defendants had been sentenced as a result of Task Force investigations and prosecutions.

On the tables the Task Force Regions are identified as follows:

GL	Great Lakes	NC	North Central
GC	Gulf Coast	NW	Northwest
LA	Los Angeles/Nevada	SC	South Central
MA	Mid-Atlantic	SE	Southeast
MS	Mountain States	SW	Southwest
NE	New England	FL	Middle and Northern
NY	New York/New Jersey		Districts of Florida

Table 13
Type of Criminal Organization
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
LCN	2	1	0	7	1	9	12	0	0	2	0	0	3	37	7.9
Drug Trafficking Organization	24	23	10	25	15	15	13	29	24	25	10	8	12	233	49.9
Other Criminal Group	7	15	15	9	4	9	9	18	6	18	18	10	11	149	31.9
Motorcycle Gang	3	1	1	6	3	3	0	3	4	3	1	1	1	30	6.4
Prison Gang	0	1	0	2	0	0	1	2	1	1	1	0	0	1	1.9
Registrant	1	0	1	1	0	0	0	4	0	2	0	0	0	9	1.9
Other	0	2	0	1	0	1	0	0	0	1	0	0	0	5	1.1

(N = 467)

Legend

LCN—"La Cosa Nostra," traditional organized crime families.
Drug Trafficking Organization—Organizations whose primary purpose is drug trafficking.
Other Criminal Group—Organizations involved in felony crimes whose members also engage in drug trafficking.
Motorcycle Gang—Organizations controlled by motorcycle clubs.
Prison Gang—Organizations controlled by prison inmates.
Registrant—Persons who subvert legal authority over controlled substances.

Table 14
Scope of Criminal Organization
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
International	17	22	19	23	7	21	23	10	5	15	13	16	10	201	43.1
Multi-District	16	17	7	24	7	12	9	36	22	29	15	2	7	214	45.8
Single District	3	2	1	5	0	5	1	6	8	5	2	1	6	5	9.4
Not Designated	1	2	0	0	0	1	1	1	0	1	0	0	0	7	1.7

(N = 467)

Legend

International—Criminal activities that include substantial international drug trafficking.
Multi-District—Criminal activities in two or more Federal judicial districts.
Single District—Criminal activities limited to one Federal judicial district.

Table 15
History of Criminal Organization
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Long-Established	25	27	11	41	15	27	17	37	18	28	22	18	15	301	64.4
Relatively New, Growing	9	13	13	10	9	10	16	12	16	17	6	1	6	138	29.6
Not Designated	3	3	3	1	0	2	1	4	1	5	2	0	3	28	6.0

(N = 467)

Table 16
Degree of Violence of Criminal Organization
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Extremely Violent	9	6	4	12	3	11	12	4	4	6	3	4	3	81	17.3
Moderately Violent	7	19	7	13	6	7	16	12	6	18	12	5	6	134	28.7
Minimally Violent	17	11	6	17	10	9	4	24	14	16	12	5	10	155	33.2
Not Considered Violent	4	5	9	8	5	7	1	12	11	9	3	5	4	83	18.0
Not Designated	0	2	1	2	0	5	1	1	0	1	0	0	1	14	3.0

(N = 467)

Legend

Extremely Violent—frequent assaults, murders.
Moderately Violent—some assaults or murders, substantial intimidation.
Minimally Violent—intimidation, threats, no known murders.
Not Considered Violent—no known threats or violence.

Table 17
Principal Prospective Defendant's Organizational Role
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Defend- ants	Percent- age of Defend- ants
Top Leader	66	88	34	67	33	53	41	87	45	63	49	27	32	685	33.1
Mid-Level Leader	56	76	11	64	38	43	67	60	37	40	46	13	49	600	29.0
Major Financial Backer	17	5	4	3	9	9	4	7	1	14	2	1	7	83	4.0
Major Money Launderer	12	9	4	5	1	4	7	7	1	10	15	11	6	92	4.4
Major Enforcer	5	4	2	1	1	5	0	3	2	8	1	1	0	33	1.6
Major Supplier/ Distributor	40	22	20	22	25	33	49	73	117	97	66	13	8	585	28.2
Key Contact to Sources	14	13	5	7	3	10	10	20	1	12	11	4	7	117	5.6
Corrupt Public Official	2	7	0	0	1	0	1	5	0	0	1	2	3	22	1.1
Other	15	12	14	4	0	21	69	50	3	13	35	3	16	255	12.3

(N = 2,072)

Note: The total number of principal prospective defendants is 2,072. Some perform more than one role.

Table 18
Drugs Involved
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Heroin	13	8	8	16	2	12	17	5	7	7	5	3	1	104	22.3
Cocaine	34	34	18	33	20	29	22	44	23	37	20	15	16	345	73.9
Hashish	4	2	0	5	2	3	1	1	1	2	2	2	1	26	5.6
Marijuana	14	30	6	12	14	17	4	28	12	31	19	14	21	222	47.5
PCP	2	3	0	4	0	1	0	3	0	5	0	1	1	20	4.3
Methamphetamine	6	9	2	10	8	4	5	5	4	5	1	3	0	62	13.3
Methaqualone	6	2	2	1	0	1	2	3	1	6	4	1	6	35	7.5
Pharmaceutical	2	1	1	2	4	1	0	4	0	3	0	0	0	18	3.9
Other	0	2	0	4	0	4	3	3	0	2	0	1	0	19	4.1

(N = 467)

Note: More than one drug is involved in many cases.

Table 19
Type of Criminal Activity
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Importation	18	33	19	26	12	25	22	30	22	18	18	16	21	280	60.0
Manufacture	3	8	4	13	5	2	10	9	3	10	2	5	3	77	16.5
Distribution	36	38	24	46	23	31	34	51	35	44	28	18	20	428	91.6
Crop Cultivation	0	4	0	0	2	0	0	3	3	8	2	5	2	29	6.2
Diversion	1	0	1	4	2	1	0	2	0	4	1	2	2	20	4.3
Street Sales	19	22	5	20	10	24	6	23	1	21	12	3	6	172	36.8
Financial Backing	18	17	13	12	5	25	20	19	10	19	17	6	10	191	40.9
Money Laundering	20	24	15	18	11	17	16	27	17	26	20	15	11	237	50.7
Other	1	6	1	1	1	0	5	2	1	1	0	3	5	27	5.8

(N = 467)

Note: More than one type of activity is involved in many cases.

Table 20
Prospective Charges
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Title 18: RICO	15	16	5	11	4	12	13	27	14	8	15	5	16	161	34.5
Title 18: ITAR	12	14	3	13	6	7	4	13	14	13	13	6	1	119	25.5
Title 18: Firearms	9	9	2	7	4	3	5	9	10	11	6	4	0	79	16.9
Title 18: Hobbs Act	2	6	3	0	1	1	0	4	0	4	1	0	2	24	5.1
Title 18: Tax Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Title 21: CCE	33	35	16	36	13	26	24	38	22	27	25	15	11	321	68.7
Title 21: Manufacture	3	10	5	20	5	5	9	8	6	14	5	5	2	97	20.8
Title 21: Distribution	34	38	22	47	23	31	30	49	35	45	27	16	14	411	88.0
Title 21: Importation	12	30	13	23	13	23	21	27	26	20	19	17	14	258	55.2
Title 21: Conspiracy	35	41	25	49	22	35	29	50	36	45	26	17	20	430	92.1
Title 26: Tax Violations	28	31	14	23	14	14	15	37	21	32	27	16	13	285	61.0
Title 31: Currency Violations	16	21	9	19	4	16	11	22	17	7	17	15	3	177	37.9
Other	2	12	4	5	1	2	2	10	3	6	6	7	3	63	13.5
(N = 467)															

Note: More than one charge is anticipated in many cases.

Table 21
Law Enforcement Agency Involvement*
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
FBI	32	36	18	34	22	28	16	43	28	37	30	15	10	349	74.7
DEA	21	42	24	48	22	34	29	48	31	46	27	18	13	403	86.3
IRS	27	36	23	24	17	19	13	49	23	35	26	15	11	318	68.1
Customs	15	28	23	33	6	11	10	21	28	7	22	13	5	222	47.5
ATF	12	32	8	13	14	11	3	21	16	13	13	4	1	161	34.5
Marshals Service	11	30	2	2	4	3	3	3	1	2	2	4	1	68	14.6
Coast Guard	6	5	2	2	0	4	0	0	0	1	3	4	1	28	6.0
Assistant U.S. Attorneys	34	34	22	45	23	32	29	49	16	47	24	19	13	387	82.9
Organized Crime Strike Force	0	1	2	5	0	13	1	0	2	1	1	0	0	26	5.6
State Investigators	7	14	5	12	13	12	7	8	4	16	16	1	9	124	26.6
State Prosecutors	4	2	1	4	6	5	0	3	0	6	2	1	0	34	7.3
County/Local Investigators	7	13	4	9	15	11	16	15	8	22	8	3	5	136	29.1
County/Local Prosecutors	2	1	7	6	4	5	4	2	0	3	0	1	1	36	7.7
Foreign Govern- ment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Other	2	1	3	1	0	7	0	18	0	2	2	0	2	38	8.1
(N = 467)															

* "Agency Involvement" indicates participation in Task Force cases by respective Federal, State, and local law enforcement and prosecutorial agencies.

Note: More than one agency is involved in almost all cases.

CONTINUED

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Table 22
Investigative Techniques*
Cases Initiated through December 31, 1983

	Total Cases	Percentage of Cases
Undercover or Sting	294	63.0
Title III	188	40.3
Immunity	230	49.3
Tax Grand Jury	211	45.2
Other Grand Jury	323	69.2
Parole into U.S.	3	0.6
Extradition	22	4.7
Financial Investigation	322	69.0
Witness Protection	138	29.6
Other	84	18.0
		(N = 467)

* Major techniques to be employed during investigation and prosecution as anticipated at the time of case initiation. No regional breakdown is indicated for reasons of investigative sensitivity.

Note: More than one investigative technique was used in most cases.

Table 23
Prospective Seizures and Forfeitures
Cases Initiated through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Cases	Percent- age of Cases
Type of Property															
Seizure of Drugs Likely	11	27	16	28	14	19	28	19	34	24	9	9	9	247	52.9
Seizure/Forfeiture (Money)	22	24	12	27	8	15	19	27	30	23	18	11	3	239	51.2
Seizure/Forfeiture (Asset)	28	33	22	31	14	15	13	41	22	28	23	14	14	298	63.8
Type of Judicial Action															
RICO (Criminal)	11	9	5	4	2	7	6	24	2	7	12	7	7	103	22.1
CCE (Criminal)	27	27	15	26	11	20	15	35	4	25	21	11	5	242	51.8
Other Criminal	0	1	1	16	1	2	1	1	0	2	0	1	2	28	6.0
RICO (Civil)	0	1	0	1	0	0	1	1	0	2	3	1	0	10	2.1
Title 21 (Civil)	24	33	24	37	19	24	21	35	30	36	19	13	10	325	69.6
Title 26 (Civil)	6	12	13	7	9	7	6	8	3	9	8	11	4	103	22.1
Other Civil	0	0	0	1	0	0	0	1	0	0	0	0	0	2	0.4
Title 31 (Criminal or Civil)	0	6	10	11	1	2	4	1	3	2	5	4	0	49	10.5
															(N = 467)

Note: Categories are not mutually exclusive.

Table 24
Type of Criminal Organization
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
86 LCN	0	0	0	3	1	1	3	0	0	2	0	0	0	10	3.8
Drug Trafficking Organization	10	2	10	48	2	6	12	14	10	11	5	0	0	130	49.2
Other Criminal Group	0	27	1	1	5	2	3	6	10	3	2	6	5	71	26.9
Motorcycle Gang	0	0	0	14	2	0	0	2	3	2	0	0	0	23	8.7
Prison Gang	0	0	0	0	0	0	1	1	1	0	0	0	0	3	1.1
Registrant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Other	0	5	0	0	14	3	1	0	0	4	1	0	3	31	11.7
(N = 264)															

Legend

LCN—"La Cosa Nostra," traditional organized crime families.
Drug Trafficking Organization—Organizations whose primary purpose is drug trafficking.
Other Criminal Group—Organizations involved in felony crimes whose members also engage in drug trafficking.
Motorcycle Gang—Organizations controlled by motorcycle clubs.
Prison Gang—Organizations controlled by prison inmates.
Registrant—Persons who subvert legal authority over controlled substances.

Table 25
Scope of Criminal Organization
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
International	6	15	10	9	1	8	13	10	14	9	6	3	4	108	40.9
Multi-District	4	13	1	19	9	1	5	12	10	7	1	0	1	83	31.4
Single District	0	1	0	35	0	1	0	0	0	3	1	3	0	44	16.7
Not Designated	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0.4
(N = 264)															

Legend

International—Criminal activities that include substantial international drug trafficking.
Multi-District—Criminal activities in two or more Federal judicial districts.
Single District—Criminal activities limited to one Federal judicial district.

Table 26
History of Criminal Organization
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
Long-Established	9	16	4	58	4	8	11	14	10	13	5	3	3	158	58.7
Relatively New, Growing	0	12	6	6	6	1	8	4	14	5	1	3	2	68	25.8
Not Designated	1	1	0	1	0	0	0	4	0	0	1	0	0	8	15.5
(N = 264)															

Table 27
Degree of Violence of Criminal Organization
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
88															
Extremely Violent	0	2	0	5	3	2	7	2	4	3	0	0	3	31	11.7
Moderately Violent	1	13	4	43	1	3	8	9	9	11	1	0	0	103	39.0
Minimally Violent	4	1	4	6	6	2	2	11	9	3	4	2	2	56	21.2
Not Considered Violent	5	12	2	7	0	2	0	0	2	1	2	4	0	37	14.0
Not Designated	0	6	1	1	14	3	3	1	0	4	1	0	2	36	13.6
															(N = 264)

Legend

Extremely Violent—Frequent assaults, murders.
Moderately Violent—Some assaults or murders, substantial intimidation.
Minimally Violent—Intimidation, threats, no known murders.
Not Considered Violent—No known threats or violence.

Table 28
Defendant's Organizational Role
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Defend- ants	Percent- age of Defend- ants
89															
Top Leader	12	37	10	28	8	11	23	30	8	16	9	7	1	200	16.2
Mid-Level Leader	4	36	1	33	66	5	19	50	11	10	2	2	3	242	19.6
Major Financial Backer	1	2	2	4	1	0	2	1	0	0	0	1	0	14	1.1
Major Money Launderer	4	4	2	3	0	0	2	3	0	5	3	1	0	27	2.2
Major Enforcer	0	12	0	2	1	2	7	1	2	0	0	0	0	27	2.2
Major Supplier/ Distributor	0	62	4	75	9	10	58	18	32	18	0	1	0	287	23.3
Key Contact to Sources	0	21	4	7	2	6	5	15	2	7	2	3	5	79	6.4
Corrupt Public Official	0	6	0	0	0	1	1	1	1	0	0	0	0	10	0.8
Other	23	78	15	56	31	24	42	79	37	39	49	1	12	486	39.4
															(N = 1,232)

Note: Total number of persons indicted is 1,232. Some defendants performed more than one organizational role.

Table 29
Drugs Charged in Indictment
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
90 Heroin	1	3	2	31	1	3	12	4	1	1	0	0	0	59	22.3
Cocaine	3	15	8	17	3	3	12	13	17	12	2	2	3	110	41.7
Hashish	0	0	0	3	0	1	1	0	0	0	0	1	1	7	2.7
Marijuana	5	11	1	11	6	4	4	6	7	7	2	2	1	67	25.4
PCP	0	0	0	2	0	0	0	1	0	0	0	0	0	3	1.1
Methamphetamine	0	2	0	11	3	0	1	0	4	3	0	0	0	24	9.1
Methaqualone	0	4	0	1	0	1	1	3	1	3	1	0	0	15	5.7
Pharmaceutical	0	1	0	0	2	0	0	0	0	0	0	0	0	3	1.1
Other	0	0	1	4	0	0	3	1	1	1	0	0	0	11	4.2
															(N = 264)

Note: More than one drug is charged in some indictments.

Table 30
Type of Criminal Activity
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
Importation	5	15	2	12	3	4	17	6	17	5	3	4	5	98	37.1
Manufacture	0	4	3	7	6	0	4	2	5	4	0	0	0	35	13.3
Distribution	9	22	10	63	12	8	18	16	27	16	4	3	5	213	80.7
Crop Cultivation	0	1	0	0	1	0	0	0	0	0	0	1	0	3	1.1
Diversion	0	0	0	0	0	0	0	0	0	0	0	0	0		
Street Sales	5	5	0	8	4	4	5	7	5	7	0	1	0	51	19.3
Financial Backing	2	2	1	12	0	4	8	3	11	2	0	1	2	48	18.2
Money Laundering	3	4	2	3	2	2	4	5	14	5	1	3	1	49	18.6
Other	2	2	0	2	0	1	0	1	0	2	0	3	0	13	4.9
															(N = 264)

Note: Many defendants were charged with more than one type of criminal activity.

Table 31
Defendants by Charges
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Defend- ants	Percent- age of Charges
Title 18: RICO	0	41	0	5	0	5	17	19	0	3	0	0	0	90	7.3
Title 18: ITAR	2	20	3	33	9	0	0	29	15	9	0	1	0	121	9.8
Title 18: Firearms	0	10	0	1	1	2	8	6	11	4	0	0	0	43	3.5
Title 18: Hobbs Act	0	3	0	0	0	0	0	0	0	0	0	0	0	3	0.2
Title 18: Tax Conspiracy	12	7	2	0	0	0	0	1	0	5	0	2	0	29	2.4
Title 21: CCE	2	9	2	11	3	5	12	11	4	3	7	1	1	71	5.7
Title 21: Manufacture	0	12	9	6	0	0	1	0	14	4	0	0	0	46	3.7
Title 21: Distribution	11	138	11	100	71	36	53	80	65	42	58	11	19	695	56.4
Title 21: Importation	0	96	0	10	2	14	28	40	22	4	56	9	15	296	24.0
Title 21: Conspiracy	40	195	30	160	82	54	138	164	79	73	58	10	20	1,103	89.5
Title 26: Tax Violations	6	8	2	8	0	1	1	11	1	3	3	3	0	47	3.8
Title 31: Currency Violations	1	0	6	2	0	0	0	4	0	0	6	0	0	19	1.5
Other	6	39	27	121	41	14	28	69	29	11	7	5	2	399	32.4
(N = 1,232)															

Note: Many defendants were indicted under more than one charge.

Table 32
Law Enforcement Agency Involvement*
Indictments Returned through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Indict- ments	Percent- age of Indict- ments
FBI	8	23	7	64	9	4	8	11	25	16	8	4	1	188	71.2
DEA	9	29	7	60	3	9	16	17	27	18	7	4	2	208	78.8
IRS	9	14	2	40	2	3	4	13	11	6	7	5	0	116	43.9
Customs	4	16	5	45	0	1	8	4	13	0	7	5	3	111	42.0
ATF	0	0	0	1	0	3	2	0	3	3	2	2	0	16	6.1
Coast Guard	0	0	0	0	0	1	1	0	0	0	0	2	0	4	1.5
Organized Crime Strike Force	0	1	0	0	11	0	0	0	0	0	0	0	0	12	4.5
State Investigators	0	2	0	0	2	0	1	0	0	0	0	0	0	5	1.9
State Prosecutors	0	0	0	2	0	2	3	3	0	0	0	0	0	10	3.8
County/Local Investigators	0	3	6	86	8	8	15	17	7	19	8	3	2	182	68.9
County/Local Prosecutors	0	6	11	33	7	1	1	8	1	12	0	0	3	83	31.4
Foreign Government	0	0	0	1	0	3	4	2	1	0	2	2	0	15	5.7
Other	0	0	0	1	0	0	1	2	0	0	1	0	0	5	1.9
(N = 264)															

* More than one agency was involved in most cases. U.S. Marshals Service and U.S. Attorneys are assumed to be involved in all cases.

Table 33
Investigative Techniques*
Indictments Returned through December 31, 1983

	Total Indictments	Percentage of Indictments
Undercover or Sting	147	55.7
Title III	68	25.8
Immunity	130	49.2
Tax Grand Jury	46	17.4
Other Grand Jury	133	50.4
Extradition	6	2.3
Financial Investigation	75	28.4
Witness Protection	103	39.0
Informant(s)	183	69.3
Mutual Assistance Treaty	3	1.1
Extended Surveillance	132	50.0
Other	20	7.6

* Major techniques to be employed during investigation and prosecution as anticipated at the time of case initiation. No regional breakdown is indicated for reasons of investigative sensitivity.

Note: More than one investigative technique was used in most cases.

Table 34
Defendant's Pleas
Charges Disposed of through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Pleas	Percent- age of Pleas
Guilty	2	46	17	47	15	1	9	13	39	12	0	0	5	206	32.6
Nolo Contendere	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0.2
Not Guilty	0	112	14	93	52	3	0	18	39	35	9	0	49	424	67.2

(N = 631)

Note: Total number of persons whose cases were disposed of is 260. Many of them entered multiple pleas.

Table 35
Disposition of Defendant's Charges
through December 31, 1983

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Disposi- tions	Percent- age of Disposi- tions
Convicted	2	82	17	60	32	4	9	24	42	25	9	0	53	359	56.9
Acquitted	0	7	0	8	2	0	0	3	0	1	0	0	1	22	3.5
Dismissed (Gov- ernment Motion)	0	52	14	68	28	2	0	4	36	21	0	0	0	225	35.7
Dismissed (Non- Government Motion)	0	18	0	1	6	0	0	0	0	0	0	0	0	25	4.0

(N = 631)

Note: Total number of persons whose cases were disposed of is 260. Multiple charges against a defendant are frequent.

Table 36
Acquittals by Charge
Charges Disposed of through December 31, 1983

96

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Acquit- tals	Percent- age of Acquittals
Title 18: RICO	0	1	0	0	0	0	0	0	0	0	0	0	0	1	4.5
Title 18: ITAR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 18: Firearms	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 18: Hobbs Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 18: Tax Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 21: CCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 21: Manufac- ture	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 21: Distribution	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4.5
Title 21: Importation	0	1	0	0	0	0	0	0	0	1	0	0	0	2	9.0
Title 21: Conspiracy	0	4	0	8	2	0	0	2	0	0	0	0	0	16	72.7
Title 26: Tax Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Title 31: Currency Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Other	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4.5

(N = 22)

Note: Total number of acquittals is 22.

Table 37
Convictions by Charge
Charges Disposed of through December 31, 1983

97

	GL	GC	LA	MA	MS	NE	NY	NC	NW	SC	SE	SW	FL	Total Convic- tions	Percent- age of Convic- tions
Title 18: RICO	0	4	0	0	0	0	0	0	0	0	0	0	0	4	1.9
Title 18: ITAR	0	4	0	6	6	0	0	3	0	1	0	0	2	22	10.2
Title 18: Firearms	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0.5
Title 21: CCE	1	1	0	0	0	0	2	0	1	0	0	0	0	5	2.3
Title 21: Manufacture	0	0	2	0	0	0	0	0	3	0	0	0	0	5	2.3
Title 21: Distribution	0	9	1	15	7	2	0	1	16	6	3	0	13	73	33.8
Title 21: Importation	0	12	0	6	0	1	0	0	11	1	2	0	11	44	20.4
Title 21: Conspiracy	1	43	8	22	17	1	7	13	3	12	4	0	28	159	73.6
Title 31: Currency Violations	0	0	1	0	0	0	0	4	0	0	0	0	0	5	2.3
Other	0	8	5	11	2	0	0	3	7	5	0	0	0	41	19.0

(N = 216)

Note: Total number of persons convicted was 216. Many were convicted of multiple charges.

Table 38
Drugs Seized
through December 31, 1983

98

Region	Heroin (Kilos)	Drugs Seized Cocaine (Kilos)	Marijuana (Kilos)
Great Lakes	2	33	668
Gulf Coast	4	30	73,450
Los Angeles/Nevada	0	145	6
Mid-Atlantic	1	15	94,128
Mountain States	0	9	1,726
New England	8	39	93,773
New York/New Jersey	27	3,219	12
North Central	5	413	7,530
Northwest	0	657	11
South Central	0	756	76
Southeast	0	2,424	20
Southwest	0	8	10,000
Totals	47	7,748	281,400

Table 39
Non-Drug Assets Seized
through December 31, 1983

99

Region	Cash (\$)	Property (\$)
Great Lakes	1,982,377	4,232,130
Gulf Coast	1,055,700	1,422,000
Los Angeles/Nevada	416,640	312,500
Mid-Atlantic	964,110	2,966,975
Mountain States	1,581,727	164,000
New England	1,137,925	3,333,082
New York/New Jersey	265,000	30,000
North Central	1,031,696	1,178,375
Northwest	1,892,100	1,005,994
South Central	0	0
Southeast	1,465,600	5,338,500
Southwest	2,834,250	930,305
Totals	14,627,125	20,913,861

Table 40
Non-Drug Assets Forfeited
through December 31, 1983

Region	Forfeitures	
	Cash (\$)	Property (\$)
Great Lakes	741,180	1,395,284
Gulf Coast	5,600	107,100
Los Angeles/Nevada	448,000	2,500,000
Mid-Atlantic	157,500	70,500
Mountain States	0	0
New England	40,000	33,000
New York/New Jersey	74,950	247,445
North Central	85,108	886,000
Northwest	0	1,211,000
South Central	177,200	933,800
Southeast	1,168,037	2,486,370
Southwest	0	300,000
Totals	2,897,575	10,170,499

100

Table 41
Fines Assessed
through December 31, 1983

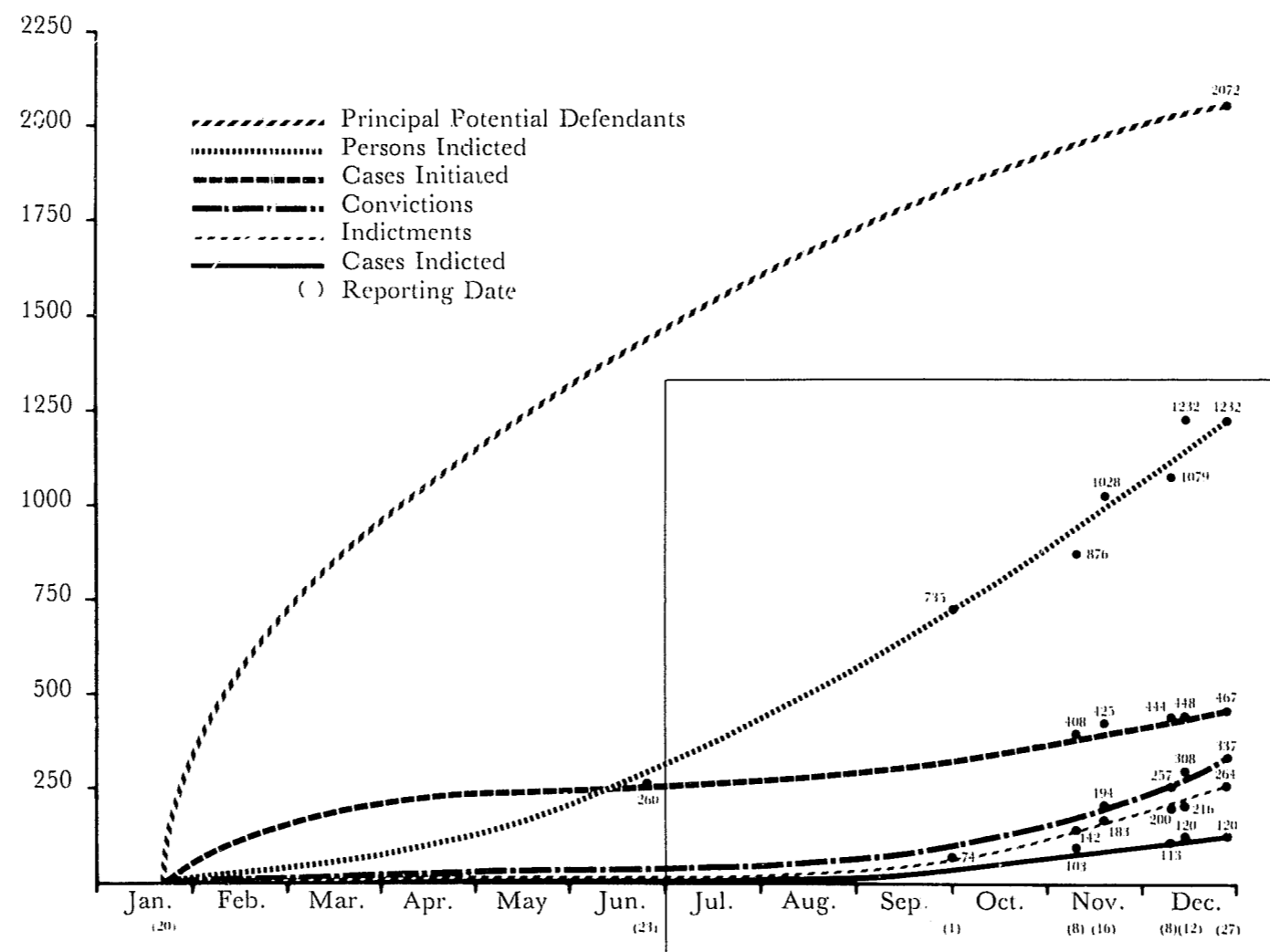
Region	Fines (\$)
Great Lakes	288,000
Gulf Coast	555,000
Los Angeles/Nevada	0
Mid-Atlantic	397,400
Mountain States	5,000
New England	20,000
New York/New Jersey	85,000
North Central	45,000
Northwest	0
South Central	150,000
Southeast	50,000
Southwest	0
Total	1,595,400

101

Table 42
Drugs, Cash, and Property Seized
and Fines Levied in OCDE Task Force Cases in 1983

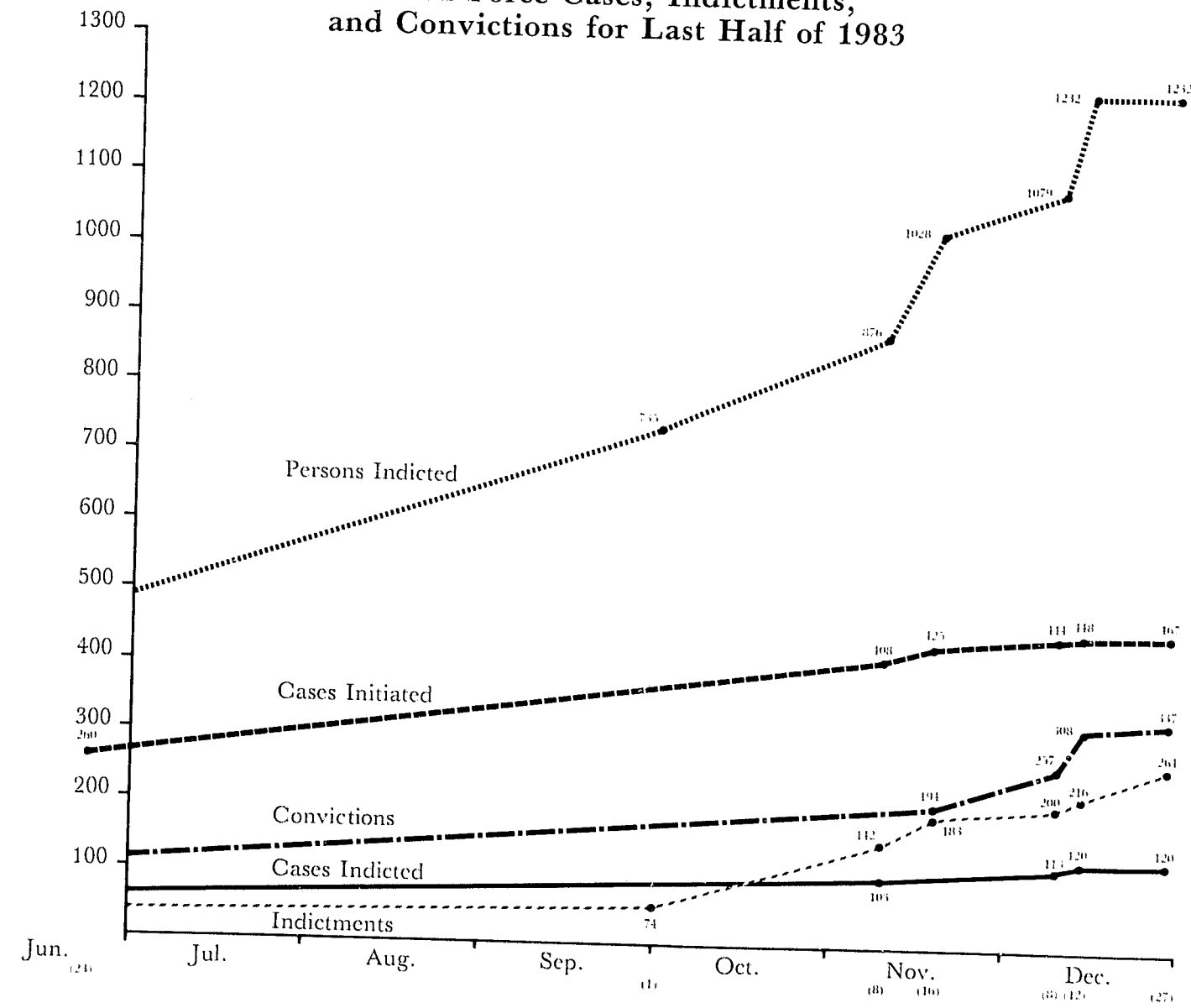
Region	Heroin	(a) Drugs Seized (by kilos)		(b) Cash (\$)	(c) Property (\$)	(d) Cash (\$)	(e) Forfeitures		(f) Fines (\$)	(b + d + f) Totals		(c + e) Property (\$)
		Cocaine	Marijuana				Cash	Property		Cash		
Great Lakes	2	33	668	1,982,377	4,232,130	741,180	1,395,284		288,000	3,011,557		5,627,414
Gulf Coast	4	30	73,450	1,055,700	1,422,000	5,600	107,100		555,000	1,616,300		1,529,100
Los Angeles/Nevada	0	145	6	416,640	312,500	448,000	2,500,000		0	864,640		2,812,500
Mid-Atlantic	1	15	94,128	964,110	2,966,975	157,500	70,500		397,400	1,519,010		3,037,475
Mountain States	0	9	1,726	1,581,727	164,000	0	0		5,000	1,586,727		164,000
New England	8	39	93,773	1,137,925	3,333,082	40,000	33,000		20,000	1,197,925		3,366,082
New York/New Jersey	27	3,219	12	265,000	30,000	74,950	247,445		85,000	424,950		277,445
North Central	5	413	7,530	1,031,696	1,178,375	85,108	886,000		45,000	1,161,804		2,064,375
Northwest	0	657	11	1,892,100	1,005,994	0	1,211,000		0	1,892,100		2,216,994
South Central	0	756	76	0	0	177,200	933,800		150,000	327,200		933,800
Southeast	0	2,424	20	1,465,600	5,338,500	1,168,037	2,486,370		50,000	2,683,637		7,824,870
Southwest	0	8	10,000	2,834,250	930,305	0	300,000		0	2,834,250		1,230,305
Totals	47	7,748	281,400	14,627,125	20,913,861	2,897,575	10,170,499		1,595,400	19,120,100		31,084,360

Exhibit 6
Task Force Cases, Indictments, Convictions,
and Estimated Potential Defendants in 1983



See Exhibit 7 on next page for plot of these values.

Exhibit 7
Task Force Cases, Indictments,
and Convictions for Last Half of 1983



Other Presidential Initiatives

7

Although the Task Force Program is a significant achievement in itself, it is not an isolated presidential initiative. In 1982 the President announced a Commission on Organized Crime, a Governors Project on criminal justice reform, and a new training program for law enforcement personnel. He also called for expansion of the Federal prison system and enactment of Federal anti-crime legislation. This chapter briefly discusses the progress of these undertakings.

President's Commission on Organized Crime

One element of the President's program—one that will make substantial short-term and long-term contributions to the development and refinement of the Federal Government's strategy to combat organized crime—is the President's Commission on Organized Crime. Established by Executive Order on July 28, 1983, the Commission consists of nineteen presidential appointees, who are "distinguished Americans from diverse backgrounds and professions with practical experience in criminal justice and combating organized crime." A list of members appears at the end of this section.

The terms of the Executive Order require the Commission to undertake six principal tasks:

- 1) To make a full and complete national and region-by-region analysis of organized crime;
- 2) To define the nature of traditional organized crime as well as emerging organized crime groups, the sources and amounts of organized crime's income, and the uses to which organized crime puts its income;

- 3) To develop in-depth information on the participants in organized crime networks;
- 4) To evaluate Federal laws pertinent to the effort to combat organized crime;
- 5) To advise the President and the Attorney General with respect to its findings and actions which can be undertaken to improve law enforcement efforts directed against organized crime; and
- 6) To make recommendations concerning appropriate administrative and legislative improvements in the administration of justice.

In addition, the Commission is required to report to the President from time to time as requested, and to submit a final report by March 1, 1986.

Over the course of the next two years, the Commission will constitute a potent new weapon in the Federal Government's arsenal against organized crime. Although other national commissions and committees—notably the Kefauver Committee in the 1950s, the President's Commission on Law Enforcement and the Administration of Justice in the 1960s, and the Senate Permanent Subcommittee on Investigations—have performed valuable services in exposing specific aspects of organized criminal activity, this Commission provides the first opportunity for a comprehensive and thorough investigation devoted exclusively to organized crime in its many manifestations throughout the country. By conducting public hearings in numerous cities across the United States, and by making use of a variety of investigative techniques, the Commission can alert the public to the scope and pernicious effects of organized crime in American society. These hearings will also

amass the kinds of information that will ultimately enable the Commission to present detailed findings on organized criminal activity and to develop an integrated national program for the elimination of such activity.

Although the mandate of the Commission extends to all aspects of organized crime, the Commission has recognized from the outset that it must devote considerable time and resources to the subject of drug trafficking in the United States and abroad. At the first open meeting of the Commission on November 29, 1983, Attorney General William French Smith, Director of the Federal Bureau of Investigation William H. Webster, and Administrator of the Drug Enforcement Administration Frances M. Mullen, Jr., indicated that the impact of organized crime in international drug trafficking was an area that particularly warranted the Commission's attention. Their testimony, and other information available to the Commission, prompted the Commission to select three priority areas as an initial focus for its investigation:

- 1) *Narcotics importation and distribution.* This area is likely to be a particularly fruitful avenue for the Commission to explore. Apart from the fact that drug trafficking is one of the most pervasive and profitable activities conducted by organized crime, investigation of this area may reveal the extent to which criminal entities other than the traditional La Cosa Nostra families have participated in and profited from such activities.
- 2) *Laundering of profits from illegal operations.* Because organized crime depends on a variety of techniques for laundering its profits from drug trafficking and other illegal enterprises and reinvesting those profits in legitimate enterprises, the Commission will seek to acquire a detailed understanding of laundering techniques, both to improve its understanding of organized crime as an economic phenomenon and to develop recommendations for counteracting those techniques.
- 3) *Infiltration of legitimate businesses.* Over the years, many members and associates of organized crime have found it convenient to acquire interest in legitimate enterprises through both legal and illegal means, in order to enhance their profits

and to disguise their true means of livelihood. The Commission will examine this area closely to determine which responses by law enforcement are most likely to make legitimate businesses less tempting targets for infiltration by organized crime.

To date, the Commission has begun to assemble a staff of lawyers and investigators with substantial background in the area of organized crime, and to select the methodologies and investigative techniques most suitable to the Commission's operations and activities.

Members of the Commission

Judge Irving R. Kaufman, Chairman of the U.S. Court of Appeals for the Second Circuit; Phyllis T. Aranza, a Lieutenant with the Homicide Division of the Houston Police Department; Jesse A. Brewer, Jr., Deputy Chief of the Los Angeles Police Department; Carol Corrigan, a Deputy District Attorney in Alameda County, California; Justin J. Dintino, Executive Officer of the New Jersey State Police; William J. Guste, Jr., Attorney General of Louisiana; Judith Richards Hope, a lawyer in Washington, D.C., and former Associate Director of the White House Domestic Council; Philip Manuel, President of an investigative consulting firm in Washington, D.C., and former chief investigator of the U.S. Senate Permanent Subcommittee on Investigations; Thomas F. McBride, Associate Dean of the Stanford University Law School and former Inspector General of the Departments of Agriculture and Labor; Eugene H. Methvin, a Senior Editor of *Reader's Digest*; Edwin L. Miller, Jr., District Attorney in San Diego County, California; Manuel J. Reyes, a lawyer and Executive Vice President of the Board of Directors of Miami International Hospital; Representative Peter W. Rodino, Jr., Chairman of the U.S. House Committee on the Judiciary; Charles H. Rogovin, a Professor at the Temple University Law School and former President of the Criminal Justice Associates; Barbara A. Rowan, a lawyer and President of an investigative consulting firm in Alexandria, Virginia; Frances A. Scafani, Chief Administrative Assistant District Attorney for Interagency Liaison in Suffolk County, New York; Samuel K. Skinner, a lawyer in Chicago, Illinois, and former U.S. Attorney for the Northern District of Illinois; Potter Stewart, a retired Associate Justice of the U.S. Supreme Court; and Senator Strom Thurmond, Chairman of the U.S. Senate Committee on the Judiciary.

The Governors Project on Organized Crime and Narcotics Trafficking

In his October 14 announcement, President Reagan singled out a special initiative for the nation's Governors:

This Administration will launch a project . . . that will enlist the Nation's Governors in bringing about needed criminal justice reforms. For example, without effective enforcement of local and State statutes against various kinds of racketeering like illegal gambling, this vital source of revenue for organized crime will never be fully dried up. This Governors Project will attempt to bring to the attention of the States the importance of such initiatives as well as serving as a sounding board for the Governors' concerns.

The Department of Justice undertook the coordination of the Governors Project. On March 1, 1983, the National Governors' Association (NGA) voted to endorse the President's program, which included the Governors Project. Similar endorsements were later passed by the Southern Governors' Association and the Republican Governors' Association.

Besides endorsing the program, NGA called upon the States to undertake increased drug education and drug enforcement efforts. Two NGA proposals, increased military interdiction efforts and standardization of State drug laws, have since been addressed in part by the formation of the National Narcotics Border Interdiction System (NNBIS) and the Department of Justice's approval of the development of a State guide for drug law reform.

The Governors Project is designed to act as a Federal liaison and to provide a steady flow of information to Governors. Project staff communicate regularly with the Organized Crime Drug Enforcement Task Forces, NNBIS, and the Glynco training program. Beginning February 28, 1983, the *Weekly News Summary*, a timely, comprehensive compilation of current events relating to Federal drug enforcement, has been distributed to the fifty-five State and territorial Governors and to the U.S. Attorneys in the twelve core cities. The Project has also endeavored to provide Governors with specific information on State criminal justice reform. For example, at the request of Governor Mark White,

the Governors Project is providing research and information for a comprehensive proposal for criminal justice reform in Texas. During the past twelve months, Project staff have responded to inquiries originating from Maryland to American Samoa, providing information on criminal justice reform, law enforcement equipment, the Task Force Program, and other State concerns.

The Project serves as a special link on drug enforcement between the Governors and appropriate Department of Justice offices. Project staff meet regularly with NGA staff and have also met with State officials in Illinois, Maine, Maryland, Michigan, Nevada, New Jersey, Ohio, Pennsylvania, Tennessee, and Texas. Recently, NGA and the National Criminal Justice Association proposed to publish a manual for improving State legislation aimed at attacking the drug problem in each State. The Governors Project secured a commitment for a grant to fund the guide from the Federal Justice Research Program.

The Governors Project has assisted in arranging discussions in Washington and in the States between Governors and between Department of Justice officials and State officials. At the NGA's request, the Project arranged for funding for a conference on "The Use of the Military in Controlling Illegal Drugs." Held under the auspices of the NGA and the National Criminal Justice Association, representatives of thirty-one Governors joined in discussions with the nation's chief Federal drug enforcement officials. In addition, the Governors Project has worked to complement the Law Enforcement Coordinating Committees, which offer opportunities for Federal, State, and local drug enforcement officials to meet their counterparts.

Due in part to the high level of cooperation demonstrated by the Governors Project and NGA, the Attorney General has recently called for the establishment of an intergovernmental affairs office. Beginning this year, the Governors Project will continue its liaison efforts as part of the new Office of Legislative and Intergovernmental Affairs.

Training Law Enforcement Personnel

The development of advanced, specialized law enforcement training for Federal, State, and local investigators and prosecutors is critical to the successful investigation and prosecution of organized criminal groups and high-level drug trafficking enterprises. Task Force investigations and prosecutions demand complex, long-term efforts on the

part of law enforcement personnel. Investigators and prosecutors must be trained to use effectively the full panoply of sophisticated investigative techniques and legal sanctions in order to reach the highest levels of the wealthy, insulated, violence-prone organizations that illegally traffic in drugs.

The President provided for this training in his anti-crime program. Specifically, the President called for the establishment of a National Center for State and Local Law Enforcement Training at the Federal Law Enforcement Training Center in Glynco, Georgia. This Center would complement the excellent training programs already offered by the FBI, DEA, ATF, and U.S. Customs Service for Federal, State, and local law enforcement personnel. The establishment of this National Training Center was based on the realization that while primary responsibility for law enforcement rests with State and local governments, the Federal Government could significantly assist them by, among other means, providing training in those areas where Federal investigative agencies have unique expertise.

The Center is now fully operational. It offers advanced, specialized training to State and local law enforcement on a shared cost basis utilizing existing Federal resources and facilities. Approximately twenty-one different law enforcement courses are offered in areas such as white-collar crime, drugs and narcotics, financial and undercover investigative techniques, fire and arson, cargo thefts, and fraud, as well as in other legal, technical, policy, and management areas. A total of 800 State and local law enforcement officers received training at the Center in FY 1983. Of this number, 375 State and local officers received training about organized crime and drug enforcement. The State and local officers who have been trained, especially those who function as operational and technical specialists, greatly value the training. They state that they rely on the expertise of the Federal Government to keep abreast of emerging trends and developments in law enforcement.

By implementing a national policy of coordinated training, the National Training Center contributes significantly to the development of professional investigative networks and a spirit of intergovernmental cooperation. Congress long ago recognized the value of intergovernmental cooperation and coordinated training programs among Federal, State, and local agencies in the realm of drug enforcement when it passed the Controlled Substances Act in 1970 (21 U.S.C. 873(a)). The National Training Center has already served to pro-

vide information not readily available to State and local law enforcement agencies, such as intelligence data and national trends in law enforcement, and to limit fragmentation, duplication, and parochialism in law enforcement. This national training forum, through which information is disseminated and communication encouraged, is critical both to the successful operation of the Task Forces, which rely heavily on State and local participation, and to law enforcement generally.

In addition to the training offered to State and local law enforcement personnel through the National Center for State and Local Law Enforcement Training, the Justice and Treasury Departments offer over 260 law enforcement courses to State and local officers. In FY 1983, the DEA and FBI provided drug-related training to 4,794 State and local officers. This training included a variety of courses ranging from forensic chemistry to financial investigative techniques such as tracing of funds, banking operations, and financial transactions. Moreover, 1,000 State and local law enforcement officers attended the FBI's eleven-week National Academy Program, which included training in the management of complex drug investigations and in the investigation of international laundering of drug money. Also, DEA and FBI training personnel have developed an eight-hour block of instruction with supporting audio-visual material that provides Federal, State, and local officers in the field with an introduction to narcotics and dangerous drugs.

The Fourteenth Major Drug Traffickers Prosecution Conference (November 7-10, 1983), which highlighted the operation of the Task Forces, was attended by 326 Federal, State and local investigators and prosecutors. Substantive lectures and workshops focused on using Racketeer Influenced and Corrupt Organizations (RICO), Continuing Criminal Enterprise (CCE), tax, bank secrecy, and forfeiture statutes in the prosecution of major cases and on conducting undercover operations, financial investigations, and electronic surveillance in major drug investigations.

A Special Drug Task Force Seminar was conducted on October 25 to 27, 1983, by the Department of Justice Advocacy Institute for sixty-nine Assistant U.S. Attorneys assigned to the twelve Task Force Regions. The seminar provided advanced training in the use of Title 26, Title 31, RICO, and CCE statutes. In addition, the seminar dealt with the prosecutorial problems attendant in obtaining foreign evidence, disclosing grand jury material, acquiring and managing assets subject to criminal or civil forfeiture, and conducting tax

investigations, undercover operations, electronic surveillance, and investigative grand juries.

Federal Prison System Housing Expansion

Correctional Facilities

Another of the presidential initiatives addressed the concern that already overcrowded correctional institutions could not absorb the expected increase in inmate population, and \$18 million was appropriated to construct additional housing at existing correctional institutions. The specific institutions were selected because of existing capacity, central service, and site compatibility. Funds are applied as necessary to cover design and construction costs of the housing units in various regions. The following is a discussion of each project:

Memphis, Tennessee, Federal Correctional Institution. A 104-bed housing unit was designed to match the existing housing at this new institution, built in 1977. Site work is complete and construction work is now under way. The unit is a two-story split-level, designed for ease of supervision. The projected activation date is December 15, 1984.

Petersburg, Virginia, Federal Correctional Institution. This 150-bed camp facility will provide permanent housing for the minimum security inmates, who are housed outside the main facility. It is a three-story, five-level structure with cubicles to partition inmate sleeping areas. Construction has begun, with expected activation on February 15, 1985.

Ashland, Kentucky, Federal Correctional Institution. This 100-bed housing unit is a departure from the existing structures at Ashland, which were built in the 1930s. The unit will not have long, hard-to-patrol corridors, but inmate rooms clustered around a large multipurpose area. Construction has started, with activation expected on December 15, 1984.

Butner, North Carolina, Federal Correctional Institution. The 100-bed, two-story housing unit is designed to blend with the existing structures. Bidding is complete and construction is expected to begin soon. The expected activation date is February 1985.

Tallahassee, Florida, Federal Correctional Institution. This 98-bed housing unit will provide

private rooms in addition to the existing dormitory-style housing. Grading work is under way. The housing unit was scheduled for bid in January 1984, with expected activation in February 1985.

Leavenworth, Kansas, U.S. Penitentiary. The 90-bed segregation unit for Leavenworth will encompass secure outdoor recreation and offices as well as 90 segregation rooms. The first design was not approved and a new design concept is now being made final. Activation is expected in September 1985.

Oxford, Wisconsin, Federal Correctional Institution. A minimum security outside camp for 104 inmates will be built at Oxford rather than the originally planned 70-bed witness protection unit. A site adaption of a recently built camp in El Reno, Oklahoma, is being used for this facility. The camp will include facilities for a visiting area, food preparation, and recreation. The bid date was January 1984, with activation proposed for July 1985.

Detention Facilities

The Federal criminal justice system depends upon the availability of local and State detention services for confinement of persons arrested for Federal offenses. Without local support and cooperation, the Federal Government would be required to establish and operate detention facilities for unsentenced prisoners in an estimated 240 Federal Court cities throughout the United States. At present, an estimated 31 percent of all U.S. Marshals Service prisoners are housed in overcrowded Federal institutions. Federal Court cities are the primary metropolitan areas where local detention space for Federal prisoners is unavailable or extremely limited. Only 46 percent of Marshals Service prisoners can presently be located in Federal Court cities, and 34 percent of the local jails housing these prisoners are under court order for overcrowding and substandard conditions of confinement.

In order to ensure the availability of sufficient detention space that complies with national standards in local facilities, the Department of Justice implemented the Cooperative Agreement Program (CAP) in 1982. Through CAP, the Marshals Service can make funding available to local or State facilities housing Federal prisoners for the purpose of upgrading, expanding, or constructing detention facilities with the mandatory provision that the recipient local or State government will guarantee

to provide for the housing and care of Federal prisoners for a specified period of time. CAP uses Intergovernmental Agreements (IGAs), which require that the Marshals Service enter into multiyear, long-term, guaranteed prisoner housing agreements with local and State authorities.

While there are approximately 4,000 non-Federal detention facilities located throughout the United States, CAP is designed to assist only those facilities (approximately 300) that are essential to the Marshals Service's ability to support the Federal Courts. CAP is not a grant program. The Marshals Service selects those localities where adequate housing and care of Federal prisoners must be obtained in accordance with agency operational priorities. The program encompasses the upgrading of institutional programs, services, and conditions of confinement as determined necessary through the application of established national standards for detention facilities.

In 1983, the Task Force Program appropriation made available a total of \$6.6 million to CAP in order to ensure that sufficient detention space would be available in those Task Force cities where severe inmate housing shortages for Federal prisoners currently exist. The Administration's law enforcement initiatives on violent crime and drug trafficking would be severely hampered without adequate detention space to accommodate the prisoner loads generated by the Task Forces. This additional funding for CAP generated a total of 437 guaranteed bed spaces for Federal prisoners (at an average cost of \$15,103 per bed) in eight Task Force Regions. Five of the eight Regions now receiving CAP assistance had been experiencing severe detention space shortages.

A detailed discussion of the specific costs and benefits derived from Task Force funding is provided below:

New England (Serious Detention Space Shortages). A CAP agreement with Essex County (located in the Boston area) for the Salem and Lawrence Detention Facilities to provide 25 guaranteed beds for five years was finalized at a total cost of \$250,000. Both of these jails were built in the early 1800s, and were under court order for sanitation, safety, and emergency deficiencies. Federal prisoners account for 17 percent of the daily population. CAP funds are being utilized to install a new kitchen and infirmary, renovate the inmate dining hall, and purchase communications and security screening equipment.

Mid-Atlantic (Serious Detention Space Shortages). A CAP agreement with the Baltimore City Jail was negotiated to provide a total of 90 beds for a period of ten years at a cost of \$1 million. The facility, built in the mid-1800s, was under court order for overcrowding and lack of inmate recreational space. Continued access to this facility was essential to the Marshals Service's ability to support the Federal Court. At one time, all Federal prisoners were ordered removed due to the court-ordered population ceiling. As all local jails throughout the Maryland, Washington, D.C., and Virginia areas are severely overcrowded, the district would have had to transport its prisoners to the Metropolitan Correctional Center in New York City on a daily basis. CAP funds are being utilized to renovate and upgrade an inmate gymnasium, and construct a 50-bed housing unit.

Gulf Coast (Serious Detention Space Shortages). A CAP agreement was negotiated with the Cameron County Jail, located in Brownsville, Texas, to obtain 150 beds for fifteen years at a total cost of \$2 million. The facility, built in 1976, is under court order and cited by the Texas State Commission on Jail Standards for overcrowding, poor lighting, inadequate staff supervision of inmates, and lack of smoke alarm equipment. The project will double the jail's bed space to 140 beds. The Cameron County Jail is essential to support of the illegal alien border apprehension program.

North Central. The Marshals Service negotiated a CAP agreement with the Banderburgh County Jail, located in Evansville, Indiana, to provide 20 beds for a period of ten years at a cost of \$250,000. The facility is under litigation in the U.S. District Court for inadequate medical care, as well as lack of recreation and exercise facilities. This is the only facility available in this area which services a Federal Court in Evansville. At present, 98 percent of the prisoners must be housed in Indianapolis, which is 140 miles from the Evansville Federal Court. CAP funds are being used to construct an outdoor exercise area and an indoor multipurpose room for inmates (for exercise, a library, and religious services), to install communications equipment for the visitors area, and to purchase fire, emergency, and inmate recreation equipment.

Northwest (Severe Detention Space Shortages). The loss of the King County, Seattle, Jail (which was under court order for overcrowding) meant

that the Marshals Service was forced to spend from four to five hours a day transporting prisoners to and from court from McNeil Island. The Marshals Service was able to negotiate a CAP agreement with Pierce County, which was constructing a new detention facility. Construction plans were modified, and 60 beds were added and guaranteed for Federal prisoners for a period of fifteen years at a cost of \$2,225,000. The Pierce County Jail is a 45-minute drive from the Federal Court in Seattle.

Los Angeles/Nevada. A CAP agreement (total cost: \$65,000) was also finalized with the Colusa County Jail, located 60 miles from Sacramento. Both the Sacramento and Reno areas are experiencing severe housing shortages, and Colusa County's 32 guaranteed beds will be used to handle overflow population. CAP funds are being used to enclose an outdoor exercise yard as a permanent recreation area; enlarge the sallyport; and purchase laundry and kitchen equipment, perimeter fencing, and fire-retardant mattresses.

Florida (Severe Detention Space Shortages). Due to the influx of illegal aliens, State and local facilities throughout the State are severely overcrowded. Detention space for Federal prisoners in the Jacksonville area was virtually nonexistent, and Duval County, under court order for overcrowding, was unwilling to participate in CAP. As a result, CAP agreements funded by the Task Force Program were negotiated with two facilities for a total of \$804,500. Baker County agreed to provide 20 guaranteed spaces for a period of fifteen years, and Nassau County agreed to provide 15 beds for a period of ten years. Approximately 33 percent of Baker County's population are Federal prisoners, and the facility had been cited by the State Fire Marshal for lack of safety and emergency equipment. Baker County will enlarge its kitchen, purchase food service equipment, renovate its communications center, purchase laundry equipment, and construct a new physical plant. Nassau County will construct a 24-bed minimum security wing, renovate and expand the kitchen area, construct an infirmary, and install fire safety equipment.

Southwest. With the remaining \$5,500 in Task Force funding, a CAP agreement was negotiated with the Valencia County Jail, located approximately 25 miles from the Marshals Service office in Albuquerque, New Mexico, to acquire 25 guaranteed beds for a period of five years. The additional \$14,500 required was obtained from Jobs Bill funding. The bed space was necessary in order

to house illegal alien material witnesses. CAP funds are being utilized to construct a recreation and exercise yard and install additional lighting in inmate areas. Federal prisoners account for approximately 60 percent of the facility's population.

Anti-Crime Legislative Initiatives

The process of mounting a successful campaign against organized drug trafficking requires not only the coordination and cooperation of the investigative and prosecutorial resources of the executive branch of the Federal Government, but also the coordination and cooperation of the legislative branch. Congress's commitment to the Task Force Program was quick and unstinting. Funding was provided within seventy days following the President's announcement of the Program. Now, additional congressional action is required to enable the Task Forces to reach their full potential. There is an urgent need for criminal law reforms.

Many provisions of Federal criminal law have become hopelessly outmoded. Federal bail laws have created a "revolving door" system of justice in which drug offenders arrested by Federal agents are sometimes released on bail before agents have completed the paperwork associated with the arrest. Many offenders have contacts with drug traffickers overseas; so release on bail provides an opportunity to flee the United States and escape prosecution, an opportunity that is often seized. There are today more Federal drug fugitives than there are Federal drug agents. Federal bail laws contribute to this incredible statistic.

Federal sentencing practices have been called a "national scandal," and shocking disparities in sentences handed down by Federal judges have led many to question whether there is any equity in the justice system. In addition, the sentences have virtually no relation to terms of imprisonment because of the parole system, which generally releases prisoners who have served no more than one-third of their sentences. The time has come for "truth in sentencing."

Forfeiture of the instrumentalities and proceeds of drug trafficking offers tremendous potential for breaking up drug trafficking rings by stripping away the money and other property used to carry out, and derived from, their schemes. Unfortunately, weaknesses in Federal forfeiture laws prevent law enforcement officials from making maximum use of this law enforcement tool in many drug cases.

Federal drug laws also need to be strengthened to prevent diversion of legitimate drugs into illicit channels and to improve the ability of Federal authorities to stop the money laundering operations through which the profits of drug syndicates are being maneuvered to disguise the illicit origin of such monies.

The President's Comprehensive Crime Control Act of 1983

On March 16, 1983, President Reagan submitted to Congress a 42-part, omnibus anti-crime package, the Comprehensive Crime Control Act of 1983. These measures would make the urgently needed criminal justice reforms discussed above and address other law enforcement problems outside the drug area.

The Senate Judiciary Committee moved expeditiously on the President's anti-crime bill (S. 829), holding hearings in May and early June 1983. In July, the Senate Judiciary Committee reported (by a vote of 15 to 1) the bulk of the President's crime package as S. 1762. In addition, the Committee reported three major parts of the President's anti-crime package as separate bills: S. 1763, habeas corpus reform; S. 1764, exclusionary rule reform; and S. 1765, reinstitution of capital punishment. All of these measures were passed by overwhelming votes in the full Senate.

The House of Representatives has yet to act on H.R. 2151, the companion bill to S. 829. The Subcommittee on Crime of the House Judiciary Committee has, however, reported H.R. 4901, which contains a number of the forfeiture and drug penalty reforms set out in Titles III and V of S. 1762. Several other proposals in the President's package have received consideration in the House as separate measures, including the insanity defense reform.

Summary of the Drug-Related Provisions

Many provisions of S. 1762 would assist in Federal drug enforcement.

Title I, Bail Reform, would amend the Bail Reform Act of 1966 to permit Federal Courts to consider danger to the community in setting bail conditions and to deny bail altogether where a defendant poses an especially grave danger to others; tighten the criteria for post-conviction release pending sentencing and appeal; provide for revocation of release and increased penalties for crimes committed while on release; and increase penalties for bail jumping.

Title II, Sentencing Reform, would revise the sentencing system to establish a *determinate* sentencing system with no parole and limited "good time" credits; promote more uniform sentencing by establishing a commission to set a narrow sentencing range for each Federal criminal offense; require courts to explain in writing any departure from sentencing guidelines; and allow defendants to appeal sentences which are harsher than commission guidelines and the Government to appeal sentences which are more lenient than commission guidelines.

Title III, Forfeiture Reform, would strengthen Federal criminal and civil forfeiture laws by providing for forfeiture of profits and proceeds of organized crime (RICO) offenses; criminal forfeiture in all narcotics trafficking cases; expanded procedures for "freezing" forfeitable property pending judicial proceedings; forfeiture of substitute assets where assets originally subject to forfeiture have been removed from the reach of the Government; forfeiture of land used to grow, store, and manufacture dangerous drugs; and expanded use of efficient administrative forfeiture procedures in uncontested cases.

Title V, Drug Enforcement Amendments, would strengthen Federal penalties applicable to narcotics offenses; reduce the regulatory burden on law-abiding manufacturers and distributors of legitimate controlled substances; and strengthen the ability of DEA to prevent diversion of legitimate controlled substances to illegal uses.

Title IX, Foreign Currency Transaction Amendments, would improve Federal laws designed to prevent international money laundering by adding an "attempt" provision to existing laws prohibiting transportation of currency out of the United States in violation of reporting requirements; by strengthening penalties for currency violations and authorizing payment of rewards for information leading to the conviction of money launderers; and by clarifying the authority of Customs agents to conduct border searches related to currency offenses.

Title X, Miscellaneous Violent Crime Amendments, contains amendments that would be helpful to Task Forces, including Part A, to establish Federal jurisdiction over murder-for-hire and crimes in aid of racketeering; Part B, to establish Federal jurisdiction over solicitation to commit a crime of violence; Part D, to establish a minimum mandatory five-year sentence for use of a firearm in a Federal crime of violence; Part E, to establish an additional, minimum mandatory five-year sentence for use of armor-piercing bullets in a Federal crime of

violence; Part F, to expand 18 U.S.C. 1201 to include kidnapping of Federal officials; Part G, to establish a new Federal offense for crimes against family members of Federal officials; Part M, to amend extradition of foreign fugitives laws; and Part O, to establish Federal jurisdiction over robberies and burglaries directed at pharmacies and others registered to dispense, manufacture, or distribute controlled substances. (Part O is a congressionally initiated proposal.)

Title XI, Serious Non-Violent Offenses, includes two provisions of benefit to Task Forces: Part B, to amend 18 U.S.C. 2232 to cover warning the subject of a search; and Part H, to improve penalties for trafficking in drugs, weapons, or other contraband in Federal prisons.

Title XII, Procedural Amendments, includes four provisions of interest to Task Forces. These are Part A, to lower from sixteen to fifteen the age at which a juvenile may be prosecuted as an adult for serious crimes of violence and drug trafficking offenses; Part B, to amend wiretap laws to permit emergency wiretaps in life-endangering situations and expand the range of predicate offenses to include child pornography, illegal currency transactions, and crime against victims and witnesses; Part E, to authorize government appeal of new trial orders; and Part F, to improve the Witness Security Pro-

gram through codification of case law and other changes.

Other Anti-Crime Provisions

S. 1764, Exclusionary Rule Reform, would create an exception to the application of the exclusionary rule to prevent suppression of evidence where it can be shown that officers were proceeding in good faith and with objectively reasonable belief that they were acting in compliance with the law.

S. 1765, Reinstitution of Capital Punishment, would establish constitutionally permissible procedures for imposition of the death penalty in certain homicide, treason, and espionage cases.

The Task Forces are committed to penetrating and breaking up the drug trafficking syndicates, which are responsible for the importation and dissemination of the vast majority of illegal drugs being used in this country. As documented elsewhere in this report, the Task Forces are starting to produce dramatic results. However, these results are clearly circumscribed by the existing Federal criminal laws within which the Task Force Program must operate. Congressional action on the criminal justice reforms proposed by the President will help the Task Forces to achieve their full potential.

Conclusions

This Annual Report inventories the first-year operations of the Task Force Program. Behind the concrete accomplishments cited here are some remarkable changes that have taken place in the process of identifying, developing, and prosecuting significant drug cases. This report pinpoints and explains those changes. Their principal elements are summarized in the following list of Task Force advantages. These include:

- Capacity to synchronize multiple investigations against common target organizations;
- Partnership of investigators and attorneys during early investigative phases;
- Agents and attorneys who are familiar with drug investigations;
- More immediate access to grand jury time;
- Easier access to other agencies' expertise, resources, and records, and quicker response from Washington and other regions to requests for assistance;
- Greater collaboration between Federal, State, and local law enforcement agencies;
- Additional funds for purchase of evidence and other investigative expenses;
- Greater availability of modern surveillance and communications equipment; and
- Investigative and prosecutorial orchestration of case development, resulting in multi-agency and interregional coordination of timing, responsibilities, and actions.

These new advantages result in:

- Economy of effort—the ideal agents and equipment at the right place, at the right time;
- More significant seizures and forfeitures, and broadened use of financial investigations;
- Better cases against higher level targets and the time to investigate and prosecute them in depth;
- Enlargement and enhancement of the narcotics and dangerous drug intelligence data base; and
- A cooperative law enforcement environment where Federal, State, and local agencies can act in concert on investigations and prosecutions.

These first-year results have advanced the Program toward its ultimate goal—disruption of the major drug trafficking organizations. The Task Force Program's progress toward this goal may not yet be extensive. This reflects not on the Program but on the problem. The U.S. drug market, approaching \$100 billion annually, cannot be expected to yield to first-year assaults. But in just a year, the Task Forces have tested and validated a new concept, one of centralized direction, decentralized management, and coordinated efforts, that has certainly damaged and may eventually undermine the high-rolling drug businesses.

Most of those associated with this Program support it enthusiastically. There is little complacency, nor is there room for it. The Task Forces are still in their infancy. Those involved in the Task Forces are very proud of what has been accomplished so far, but no one believes that the design cannot be improved. The Department of Justice will continue to work with all participants to make needed improvements, but it is important not to

lose sight of the fact that the Program is up and running, and has to its credit much that clearly could not have been accomplished without the Task Force approach to investigations.

If first-year trends continue into the second year, the expense of operating the Task Force Pro-

gram may well be exceeded by the value of the forfeitures, fines, and seizures generated by Task Force cases. The foundation is laid. The significant penetrations already effected will bring about the dismantling of even more major drug trafficking organizations during the coming year.

Appendix A

The Case Monitoring System

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Among the first activities of the Task Force Program was the formation of a committee to assess what Task Force case information should be collected and how the identified information needs could best be met. The committee consisted of the Assistant Attorney General for the Criminal and Justice Management Divisions, a U.S. Attorney from a core city Task Force, the Director of the Executive Office for U.S. Attorneys, the Task Force Administrator, and a representative of each of the Task Force investigative agencies.

The committee wanted to create an information system that would satisfy the management needs of the Associate Attorney General, U.S. Attorneys, the OCDETF Working Group, and the regional Task Forces. In addition, the information system had to provide the data necessary to evaluate Task Force Program performance. The resultant Case Monitoring System consists of four standard reports: the Case Initiation Form, the Indictment Form, the Sentencing Form, and the Monthly Report.

The Case Initiation Form (CIF) serves two primary functions. First, it provides the core city Task Force Coordination Group with the information necessary for determining if a case meets Task Force case selection criteria. Second, it provides the preliminary data for the records of both the Assistant U.S. Attorney Task Force Coordinator and the Task Force Administrative Unit in Washington, D.C.

In the districts, the CIF is filled out by the Task Force Assistant U.S. Attorney assigned to the case in close consultation with the case agents. Copies of the CIF are then distributed to all district Special Agents in Charge (SACs) of the agencies participating in the Task Force. When appropriate, copies are also distributed to officials of participating State and local law enforcement agencies for review. The U.S. Attorney for that district then reviews the CIF and certifies that all district SACs have initialed copies of the form.

The CIF is then forwarded to the Assistant U.S. Attorney Task Force Coordinator in the core city for review by the Task Force Coordination

Group. If the case is accepted, the CIF is initialed by all Agency Coordinators and the Assistant U.S. Attorney Task Force Coordinator and is signed by the core city U.S. Attorney. The Task Force Coordinator then sends a copy of the CIF to the Task Force Administrative Unit in Washington for entry into an automated system.

The second report in the Case Monitoring System is the Indictment Form. The form updates and provides more in-depth case information at the point where an indictment or an information has been returned by a grand jury.

As with the Case Initiation Forms, the Indictment Form is completed by the Task Force case attorney in consultation with the case agents. Copies of these forms are also distributed to all district SACs and certified by the U.S. Attorney. The Indictment Form is then forwarded to the Assistant U.S. Attorney Task Force Coordinator for review by the core city Coordination Group, providing the opportunity for closer coordination of the Task Force effort. A copy of the Indictment Form is attached to the next Monthly Report and sent to the Task Force Administrative Unit.

Each time a defendant in a Task Force case is sentenced a Sentencing Form is completed. This form provides trial results and other case outcome data. The Sentencing Form reports on charges, convictions, and sentences, and provides data on the types, quantities, and values of forfeited assets. The form also requires a brief narrative on the case's impact on the criminal organizations involved and a discussion of any unusual aspects of the case.

The Sentencing Form is also completed by the Task Force case attorney immediately after the sentencing of each defendant in a Task Force case. The Sentencing Form is then forwarded to the Task Force Coordination Group for review. A copy of this form is attached to the next Monthly Report and submitted to the Task Force Administrative Unit.

The final instrument in the Case Monitoring System is the Monthly Report. The report is a narrative memorandum providing a monthly

update of significant Task Force activities and problems in each district and in each Task Force Region. Each month, the Task Force Administrative Unit sends each Region a Monthly Report Form and a list, by district, of all active Task Force cases.

Each district is required to submit its Monthly Report to the Assistant U.S. Attorney Task Force Coordinator. The Task Force Coordinator consolidates the information received in the memoranda

from each of the districts into a single Monthly Report. This memorandum reflects the activities and issues of the Task Force in the entire Task Force Region. The Task Force Coordinator submits the memorandum to the Administrative Unit.

The Administrative Unit, as the central repository of the case data, is able to provide the national focus necessary for the Associate Attorney General to manage and assess the Task Force Program.

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Appendix B Research Methodology

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Requirements for this and subsequent Annual Reports were introduced by the President in these words:

I will ask that the Attorney General be required to submit a yearly report to the people through the President and the Congress on the status of the fight against organized crime and organized criminal groups dealing in drugs. This requirement, although simple and inexpensive, will establish a formal mechanism through which the Justice Department will take a yearly inventory of its efforts in this area and report to the American people on its progress.

Congressional conferees then agreed on specific requirements for a report which includes both quantitative and qualitative analyses of each year's progress (H10:632, Congressional Record - House, December 20, 1982).

Quantitative indicators required are those which measure reduction of supply (including data on importation or production), number of abusers, treatment and admission statistics, overdose death figures, and price and purity indices. Enforcement activity is to be measured by amounts of seizures and forfeitures, arrests and convictions by violator type, and an assessment of damage to trafficking organizations.

These data have been provided directly by various agencies within the Department of Justice, or are extracted directly from Department of Justice publications such as the Drug Enforcement Administration's "Quarterly Analysis" or the Bureau of Justice Statistics' *Source Book of Criminal Justice Statistics* and the Executive Office for U.S. Attorneys' annual reports. Other statistics are from a new data base consolidating Task Force information. Although the Task Force data base is new and incomplete, the data available appear to be unbiased and robust enough to support the observations and conclusions offered in this report. All data are complete or estimated through CY 1983.

The qualitative information requested by Congress includes examples of successful law enforcement and prosecution efforts based on information exchange, allocation of resources, and coordination between agencies (Federal, State, and local). These data were acquired by a small team composed equally of Justice Department personnel and research consultants. Private, face-to-face interviews of approximately one hour's duration were conducted with 362 Task Force members and other interested parties at seventeen U.S. locations between October 17 and December 15, 1983.

The interview sample was intentionally biased to include more management and attorney personnel than agents and consisted mostly of persons at the twelve core cities who coordinate the respective Task Forces. Twenty-nine Task Force personnel from four (non-core city) districts, Buffalo, Wheeling, Las Vegas, and Washington, D.C., were interviewed. This represents 8.58 percent of the total whereas 46.7 percent of full-time professional personnel are located at districts; 24.5 percent of persons interviewed, however, had Task Force responsibilities throughout their respective Regions.

Persons to be interviewed were preselected by title: the U.S. Attorney, agency Special Agents in Charge (SACs), the Assistant U.S. Attorney Task Force Coordinator and each Agency Task Force Coordinator, agents, the Strike Force Chief, and State, county, or local law enforcement officers or prosecutors. No requirements were specified other than conducting interviews with U.S. Attorneys and Assistant U.S. Attorney Task Force Coordinators. Although almost all Agency Task Force Coordinators were interviewed, Assistant U.S. Attorney Task Force Coordinators were free to select the local sample of Assistant U.S. Attorneys, SACs, supervisors, Federal agents, and local law enforcement officers and attorneys. Some follow-up interviews were then scheduled by the interviewers based on local observations and the content of the prescheduled interviews. Task Force agents as opposed to all other categories constituted 21.2 percent of the total sample.

Interviews were loosely structured around a field interview guide developed for this purpose. Responses were manually recorded in narrative form during and after each interview and organized with interview team analyses and comments into regional feeder reports. Attribution of quoted or paraphrased responses was avoided in order to enhance the depth and spontaneity of response. See Exhibit 8 for a numerical array of personnel interviewed by agency and location.

Congress also authorized additional, unspecified measurements. Some such measurements have been defined and are included with the specified qualitative and quantitative data.

A summary of the statistical data appears in Chapter 6. The evaluation and analysis of qualitative results make up the body of this report, particularly Chapters 3, 4, and 5. Case examples, from which readers of the report may draw their own conclusions, appear in Chapter 5.

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Exhibit 8
Number of Interviews by Agency and Location

Location																		
Wheeling	Washington, D.C.	St. Louis	San Francisco	San Diego	New York	Miami	Los Angeles	Las Vegas*	Houston	Detroit	Denver	Chicago	Buffalo	Boston	Baltimore	Atlanta	Total	
	7																<u>Interviews</u>	
	2																Justice Dept.	
4	2	8	6	5	10	7	5	2	6	7	6	5	5	6	7	97	Treasury Dept.	
4	1	3	4	4	6	1	5		3	5	3	3	2	3	2	2	USAO	
—	4	4	4	5	10	1	7		4	2	2	2	1	4	3	2	FBI	
4	1	4	2	3	6	2	2		4	2	3	4	2	2	4	2	DEA	
—	2	1	2	1	3	1	1		4	2	3	4	2	2	4	2	IRS	
—	2	1	2	1	3	1	1		3	1	2	2	—	1	2	1	ATF	
—	1	1	2	2	5	2	2		3	1	2	2	—	1	2	1	Customs	
—	2	1	1	1	1	—	—		4	2	2	4	1	1	—	1	USMS	
—	1	—	—	1	1	2	1		1	1	1	1	—	1	1	1	USCG	
—		—	1	—	2	7	—		—	1	—	—	1	1	1	1	Other †	
1		1	—	—	2	—	—		—	—	1	1	2	2	2	1	State/Local	
13	23	23	22	22	46	23	23	2	26	22	20	24	13	21	21	19	363	Total

* Las Vegas personnel were interviewed at Los Angeles.

† Includes Strike Force, Financial Task Forces, "Operation Greenback."

Appendix C

Organized Crime Drug Enforcement Task Force Program Budget for 1983

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Funding for the Task Force Program was initially requested in a 1983 Budget Amendment. The Department of Justice received its entire Task Force Program request except for funds associated with the Presidential Commission on Organized Crime. The total Task Force Program appropriation for FY 1983 was \$127.5 million. Of this amount \$92,569,000 was allocated for law enforcement activities, \$11,731,000 for prosecutorial expenses, \$23,000,000 for correctional facilities, and \$200,000 for the Policy and Management Division. A reprogramming of \$500,000 from the prosecution allocation later provided funds for the establishment of the President's Commission. Funding for the Task Force initiative provided for 1,630 additional personnel in FY 1983.

Task Force funds allocated to law enforcement activities provided operating expenses for investigators, clerical staff, and associated support within the Department of Justice necessary to the twelve Task Force Regions, totaling \$42,225,000 and 760 positions. Operating expenses were also provided for Federal agencies outside the Department of Justice, totaling \$14,716,000 and 500 positions. The Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) were allocated funds for automated information systems, sophisticated voice privacy communications and surveillance equipment, and some long-range air support. The Task Forces have worked in close cooperation with the State and local law enforcement personnel and were provided \$1,628,000 in FY 1983 for such expenditures as extraordinary overtime, specialized equipment, and other operating costs incidental to State and local involvement in Task Force operations.

The resources for the DEA Air Intelligence Program, \$2,000,000, provided for the purchase of one long-range, cabin class, twin-turbine-engine surveillance aircraft with sufficient fuel and maintenance for missions necessary to South American operations in support of the Task Forces. To strengthen DEA's intelligence networks, an associated processor was installed at the El Paso Intelligence Center (EPIC). For the same reason

DEA's PATHFINDER system was extended to include all DEA division offices. DEA replaced equipment from the DEA Teleprocessing System (DATS) and expanded this system to seventeen overseas locations.

The FBI has strengthened its basic information systems with its 1983 allocations. Funding has enhanced FBI field investigative productivity through the purchase of tempest-tested intelligent terminal clusters for the Organized Crime Information System (OCIS) and the Investigative Support Information System. Implementation of the Field Office Information Management System (FOIMS), a system designed to permit secure handling of all FBI investigative information, has also begun. Finally, the FBI has purchased voice privacy equipment to meet its technical field equipment needs. These FM radio privacy systems thwart interception of agent communications and have been held by field agent personnel as the highest priority operational equipment need.

Funding for the Task Force Program's prosecution activity, \$11,731,000 and 340 positions, covered expenses for the attorney, paralegal, and clerical personnel necessary to ensure that evidence gathered on Task Force cases was legally obtained and properly prepared and presented in grand jury sessions and in the trial and appellate courts in each of the Task Force Regions. Funding was also provided here to meet the increased costs associated with the fees and expenses of witnesses utilized in the presentation of Task Force cases. In addition to the reprogramming of prosecution funds to establish the Presidential Commission on Organized Crime, another \$1,600,000 was transferred to increase funding for the Cooperative Agreement Program (CAP), which is managed by the U.S. Marshals Service.

Excluding the CAP reprogramming, the Corrections Activity received resources of \$23,000,000 and ten positions. CAP funds have been provided for the construction and renovation of State and local jail facilities through cooperative agreements guaranteeing the Federal Government bedspace in

local jails. The initial appropriation language specified that of the total \$127.5 million appropriated to the Task Force Program, \$18 million remain available until expended for construction of new facilities and for constructing, remodeling, and equipping buildings and facilities at existing detention and correctional institutions. Of the \$18 million thus allocated to Federal prison system expansion, \$5,914,000 was obligated in 1983 and \$14,743,000 was carried into 1984. For a discussion of the current status of both the CAP and Federal prison system expansion projects, see Chapter 7.

The Policy and Management Division was originally allocated \$200,000 for the Governors Project and the Annual Report. The Governors Project was provided with \$100,000 to help coordinate Federal efforts with State and local enforce-

ment programs, to create a forum for States to tell the Federal Government of their concerns about organized crime, and to supplement the Law Enforcement Coordinating Committees. The remaining \$100,000 in the Policy and Management Division covers expenses associated with the preparation and publication of the Task Force Program's Annual Report.

Of the total 1983 Task Force Program appropriation, \$108,218,000 was obligated in FY 1983. The unobligated balance at the end of the year that was carried forward into FY 1984 totaled \$18,143,000. Of this amount \$3.4 million remains available for FBI undercover expenses and DEA automated data processing needs, and \$14,743,000 remains available for the Bureau of Prison's prison expansion project. The unobligated balance lapsing at the end of FY 1983 totaled \$1,139,000.

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Appendix D Personnel Allocations

Exhibit 9 OCDE Task Force Attorney, Agent, and Support Position Allocations

District	AUSAs		FBI		DEA		IRS*		Customs†		ATF‡		USMS
	Attorney Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	
<u>Great Lakes</u>													
Kentucky, E	1	1	3	0	1	0	1	0	0	0	0	0	0
Michigan, E	8	6	13	5	9	1	13	5	9	2	6	1	1
Michigan, W	1	1	0	0	0	0	0	0	0	0	0	0	0
Ohio, N	4	3	8	2	5	0	3	0	5	1	0	0	0
Ohio, S	2	1	3	0	2	1	4	0	0	0	0	0	0
Pennsylvania, W	3	2	4	1	3	0	2	0	0	0	0	0	0
West Virginia, N	1	1	1	0	0	0	4	0	0	0	0	0	0
West Virginia, S	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals:	20	15	32	8	20	2	27	5	14	3	6	1	1
<u>Gulf Coast</u>													
Louisiana, E	3	2	4	1	8	3	2	0	3	1	0	0	0
Louisiana, M	1	1	2	0	2	0	1	0	0	0	0	0	0
Louisiana, W	1	1	2	0	1	0	1	0	0	0	0	0	0
Mississippi, S	1	1	3	0	1	0	1	0	1	0	0	0	0
Texas, E	1	1	0	0	0	0	0	0	0	0	0	1	0
Texas, N	2	1	4	1	3	0	5	0	0	0	0	0	0
Texas, S	7	5	7	4	15	7	6	3	5	1	6	0	1
Texas, W	3	2	4	0	3	0	6	0	2	0	0	0	0
Totals:	19	14	26	6	33	10	22	3	11	2	6	1	1

District	AUSAs		FBI		DEA		IRS*		Customs†		ATF‡		USMS
	Attorney Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	
<u>Los Angeles-Nevada</u>													
California, C	9	6	21	5	13	2	12	2	12	2	7	1	1
Nevada	2	1	4	1	3	0	2	0	2	1	0	0	0
Totals:	11	7	25	6	16	2	14	2	14	3	7	1	1
<u>Mid-Atlantic</u>													
Delaware	0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	2	1	3	2	3	0	1	0	0	0	0	0	0
Maryland	4	4	11	4	6	1	5	2	10	2	3	0	1
Pennsylvania, E	6	4	11	2	8	3	4	0	6	1	0	0	0
Pennsylvania, M	1	0	0	0	0	0	0	0	0	0	0	0	0
Virginia, E	3	2	5	0	2	0	4	0	0	0	0	0	0
Virginia, W	1	1	2	0	1	1	0	0	0	0	0	0	0
Totals:	17	12	32	8	20	5	14	2	16	3	3	0	1
<u>Mountain</u>													
Colorado	6	4	7	3	7	1	4	1	2	0	1	0	1
Idaho (mobile)	0	0	0	0	1	0	0	0	0	0	0	0	0
Montana	1	1	3	0	1	0	0	0	0	0	0	0	0
Nebraska (and Iowa)	2	1	4	1	5	0	1	0	0	0	0	0	0
North Dakota (mobile)	0	0	0	0	0	0	0	0	0	0	0	0	0
South Dakota	1	1	1	0	2	0	0	0	0	0	0	0	0
Utah	1	1	2	0	2	0	1	0	0	0	0	0	0
Wyoming (mobile)	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals:	11	8	17	4	18	1	6	1	2	0	1	0	1

District	AUSAs		FBI		DEA		IRS*		Customs†		ATF‡		USMS
	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	
<u>New England</u>													
Connecticut	3	2	6	1	5	1	2	0	2	0	0	0	0
Maine	1	1	0	0	1	0	0	0	0	0	0	0	0
Massachusetts	7	5	10	5	11	4	4	2	8	2	1	0	1
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0
New York, N	2	1	5	0	2	0	4	0	0	0	0	0	0
New York, W	2	1	5	1	2	1	2	0	3	0	0	0	0
Rhode Island	1	1	3	0	2	0	1	0	0	0	0	0	0
Vermont	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals:	16	11	29	7	23	6	13	2	13	2	1	0	1
<u>New York-New Jersey</u>													
New Jersey	5	4	10	2	5	2	5	0	4	1	0	0	0
(New York, E)§	8	6	37	9	32	7	7	3	16	2	5	1	1
(New York, S)§	8	6					7						
Totals:	21	16	47	11	37	9	19	3	20	3	5	1	1
<u>North Central</u>													
Illinois, C	1	1	1	0	3	1	3	0	0	0	0	0	0
Illinois, N	8	6	14	5	10	4	8	3	11	2	6	1	1
(Indiana, N)§													
(Indiana, S)§	3	2	6	1	5	1	4	0	2	0	0	0	0
(Iowa, N)§	0	0	0	0	0	0	0	0	0	0	0	0	0
(Iowa, S)§	1	1	2	0	0	0	0	0	0	0	0	0	0
Minnesota	2	1	3	0	2	0	2	0	2	0	0	0	0
Wisconsin, E	2	1	4	0	2	1	2	0	0	0	0	0	0
Wisconsin, W	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals:	17	12	30	6	22	7	19	3	15	2	6	1	1

District	AUSAs		FBI		DEA		IRS*		Customs†		ATF‡		USMS
	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	Attorney Support	Agent Support	
<u>Northwest</u>													
Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0
California, E	3	2	5	1	4	0	2	0	0	0	0	0	0
California, N	7	5	11	4	9	2	9	2	8	2	5	1	1
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	2	1	3	0	3	1	1	0	1	0	0	0	0
Oregon	1	1	3	0	2	0	0	0	0	0	0	0	0
Washington, E	1	1	0	0	1	0	0	0	0	0	0	0	0
Washington, W	2	1	3	0	3	0	1	0	2	0	0	0	0
Totals:	16	11	25	5	22	3	13	2	11	2	5	1	1
<u>South Central</u>													
Arkansas, E	1	1	3	0	2	1	1	0	0	0	0	0	0
Arkansas, W	0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois, S	1	1	1	0	0	0	0	0	0	0	0	0	0
Kansas	1	1	3	0	2	0	1	0	0	0	0	0	0
Kentucky, W	1	1	2	0	1	0	1	0	0	0	0	0	0
Mississippi, N	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri, E	5	4	7	3	6	2	4	2	2	0	4	1	1
Missouri, W	2	1	3	1	2	1	2	0	2	0	0	0	0
(Oklahoma, N)§	1	1											
(Oklahoma, E)§													
Oklahoma, W	1	1	3	0	1	1	2	0	0	0	0	0	0
Tennessee, W	1	1	1	0	2	0	1	0	0	0	0	0	0
Totals:	14	12	23	4	16	5	12	2	4	0	4	1	1

<u>District</u>	<u>AUSAs</u>		<u>FBI</u>	<u>DEA</u>	<u>IRS*</u>		<u>Customs†</u>	<u>ATF‡</u>	<u>USMS</u>
	Attorney Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	
<u>Southeast</u>									
Alabama, M	0	0	0	0	0	0	0	0	0
Alabama, N	1	1	2	0	1	0	2	0	0
Alabama, S	1	1	3	0	3	1	1	0	0
(Georgia, N)§	7	5	9	5	12	3	6	3	4
(Georgia, M)§									
Georgia, S	1	1	3	0	1	0	1	0	0
(North Carolina, E)§	2	1	3	1	2	0	3	0	0
(North Carolina, M)§									
(North Carolina, W)§	1	1							
South Carolina	3	2	3	0	4	2	2	0	4
Tennessee, E	1	1	0	0	0	0	0	0	0
Tennessee, M	1	1	3	0	2	2	1	0	0
Totals:	18	14	26	6	25	8	16	3	8
<u>Southwest</u>									
Arizona	3	2	6	2	7	1	3	0	2
California, S	7	5	13	4	12	3	6	2	10
New Mexico	1	1	3	0	3	1	1	0	0
Totals:	11	8	22	6	22	5	10	2	12

<u>District</u>	<u>AUSAs</u>		<u>FBI</u>	<u>DEA</u>	<u>IRS*</u>	<u>Customs†</u>	<u>ATF‡</u>	<u>USMS</u>
	Attorney Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	Agent Support	
<u>Florida</u>								
Florida, N	3	2						
Florida, M	4	3						
Florida, S	2	1						
Puerto Rico								
Virgin Islands								
Totals:	9	6						

* IRS has assigned support personnel positions to the core cities for use within each Task Force in the manner determined by the core city IRS management. Five IRS support positions are assigned to the Treasury Financial Law Enforcement Center.

† Thirty-three additional Customs support personnel are assigned to the Treasury Financial Law Enforcement Center, Washington, D.C.

‡ ATF has retained a pool of 17 agents (25 percent of its total) for use in any district on a person-year basis as needs arise.

§ In districts grouped together by parentheses, the United States Attorneys, Task Force agency SACs, and the Assistant United States Attorney Task Force Coordinator for the Task Force in which the districts are located are to meet and determine how the Task Force positions are to be allocated. In some instances, in order to adhere to the guidelines, it will be necessary to not allocate any positions to one or more of the districts in a grouping.

Appendix E

Members of the Working Group on Drug Supply Reduction

Associate Attorney General
U.S. Department of Justice

Administrator
Drug Enforcement Administration

Director
Federal Bureau of Investigation

Executive Secretary
Cabinet Council on Legal Policy

Director of Drug Abuse Policy Office
Office of Policy Development

General Counsel
Department of Agriculture

Associate General Counsel
Legislative and Regulation
Department of Commerce

Deputy Assistant Secretary
Manpower, Reserve Affairs and Logistics
Department of Defense

Deputy Director
National Institute of Drug Abuse
Department of Health and Human Services

Deputy Solicitor
General Law Division
Department of the Interior

Deputy Assistant Secretary
Office of the Assistant Secretary for Budget and Programs
Department of Transportation

Commandant
United States Coast Guard

Assistant Secretary for Enforcement and Operations
Department of the Treasury

Commissioner
United States Customs Service

Deputy Director for Operations
Central Intelligence Agency

General Counsel
Central Intelligence Agency

Associate Director for Economics and Government
Office of Management and Budget

Assistant Secretary
Bureau of International Narcotics Matters
Department of State

Appendix F

Members of the Organized Crime Drug Enforcement Task Force Working Group

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Associate Attorney General Chairman	
Deputy Associate Attorney General Executive Director	
Assistant Attorney General Tax Division	Assistant Attorney General Criminal Division
Assistant Commissioner (Enforcement) United States Customs Service	Director Executive Office for United States Attorneys
Director Bureau of Alcohol, Tobacco and Firearms	Chief Office of Operations United States Coast Guard
Director United States Marshals Service	Assistant Secretary (Enforcement and Operations) Department of the Treasury
Administrator Drug Enforcement Administration	Assistant Commissioner (Criminal Investigations) Internal Revenue Service
Assistant Attorney General Justice Management Division	Director Federal Bureau of Investigation

Appendix G

Members of the Washington Agency Representatives Group

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DEPARTMENT OF JUSTICE	
Criminal Division Drug Enforcement Administration:	Chief, Narcotics and Dangerous Drugs Section
	Deputy Assistant Administrator for Operations
	Chief, Operations Management Staff
	Member, Operations Management Staff
Federal Bureau of Investigation:	Deputy Assistant Director, Criminal Investigative Division
	Chief, Task Force Organized Crime Section
	Supervisor, Task Force Organized Crime Section
	Supervisor, Task Force Organized Crime Section
Office of the Associate Attorney General:	Deputy Associate Attorney General
	Staff Director, Task Force Administrative Unit
United States Marshals Service:	Assistant Director for Operations
DEPARTMENT OF TRANSPORTATION	
United States Coast Guard:	Acting Assistant Chief, Operational Law Enforcement Division
	Chief, General Law Enforcement Branch

DEPARTMENT OF THE TREASURY

132	Bureau of Alcohol, Tobacco and Firearms:	Special Agent in Charge, Office of Law Enforcement
		Program Manager/Special Agent, Office of Law Enforcement
	Internal Revenue Service:	Director, Criminal Investigations Division
		Chief, Special Enforcement Section
		Senior Analyst/Special Agent, Special Enforcement Section
	Office of the Assistant Secretary for Enforcement and Operations:	Enforcement Policy Advisor
	United States Customs Service:	Senior Special Agent, Interagency Liaison and Support Section
		Chief, Investigative Operations Branch

END