



Department of Justice

REMARKS

BY

DICK THORNBURGH
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE THE
SEATTLE ROTARY CLUB

SEATTLE, WASHINGTON
WEDNESDAY, MARCH 21, 1990

I am delighted to be here in Seattle today to talk with this Rotary Club on an important, if tough, topic -- our National Drug Control Strategy, and what part you can play in the war against drugs. We're faced with a deep, societal embroilment -- the toll in lives already high, the devastation real. "America's fight against epidemic illegal drug use cannot be won on any single front alone," President Bush has issued the battle cry. "It must be waged everywhere," he said, "at every level of Federal, State, and local government, and by every citizen in every community across the country."

You are already well aware of this, I'm sure, from harsh experience in your own Seattle community. I can cite you one local case -- successfully closed, just before noon. Back in July of 1987, the Grace Harbor County's Sheriff Department went after one of those marijuana "grow houses" that have become such a problem. Officers seized two properties, plus a trailer full of dried marijuana, and cash. Two defendants were prosecuted and convicted, but at the time your State had no forfeiture power over real property used to facilitate drug offenses. So the case was brought to the DEA, the Department of Justice took it to federal court, and the two properties were sold in forfeiture as criminal assets for \$195,490.

Today I presented a check to the Grace Harbor County's Sheriff Department for 90% of that forfeiture -- \$174,000. That is a good financial boost to local law enforcement, and I assure

you that is how it is going to go against all drug-dealers. Those caught in such marijuana raids, or street sweeps, or inside a Miami bank laundering money, or through extradition from Colombia, or by arrival from Panama will all face justice under the rule of law.

But the day -- that victorious day when America is freed of drug siege -- can't be carried by law enforcement alone -- even at the present high rate of conviction, through efforts by our new U.S. Attorney Mike McKay and your own state and local prosecutors. I am much impressed by the clean-up in Tacoma that sent to jail an invasion of drug-gang members from Los Angeles. Some 225 Crips and Bloods arrived here when the price of cocaine went to \$3000 an ounce in Tacoma, against \$500 in L.A. I understand there are only some 18 of them still around.

That is the essential back-up that law enforcement can provide for the real struggle out there in the streets -- or, as we are also finding, out in the countryside. It is tragically the same scene, all across America, as many of our main streets turn into mean streets -- and stay that way as they roll out into the suburbs, and beyond to the open fields. This enlarging landscape of drug abuse poses the major challenge to our criminal justice system -- how to reclaim these neighborhoods, your neighborhoods, rendered unsafe by drug siege. And that challenge

falls not just on law enforcement but upon the community at large, including the businesses -- large and small -- many of you represent here today.

I am talking now about drug demand reduction through education, prevention, treatment, and rehabilitation. I am also talking about values. Because victory can never be certain unless values are certain. As I recently told a somewhat surprised audience: "If we want to lose the war on drugs, we can just leave it to law enforcement." I wasn't belittling our concerted campaign to interdict the drug traffic, nor our agents' brave record of apprehending drug lords. But I was trying to emphasize that while we can enforce laws, we cannot enforce values. We can only propound them, and teach them. And represent them ourselves.

Yes, there are some social differences. Casual use of drugs is often the lure that entraps those who can least afford to become addicted. And the price of addiction is high indeed, leading often to degradation and even death. Ultimately, each individual -- whatever his or her background -- must choose between the dead-end despair of a drug-dependent lifestyle or a drug-free hope for his or her future. It is a life journey that a man or woman can only make on the basis of his or her own values, and that, in the end, is the only certain victory.

But to help such people make it back, we need to pursue every remedial course available to help them keep far away from that dreaded market. We know that schools are central to drug use prevention for young people. You in Rotary are already helping the Boys and Girls Club here in Seattle with their efforts against drug abuse. Junior high to high school students are tutored in that new wing you built. But here is something else we've found out. Some drug-users drop out to the street, but do you know where too many others graduate to? They graduate to the workplace. The workplace has become a major arena in which we must fight drug abuse among adults.

"The most effective weapon in the war on drugs is the paycheck," says Mark de Bernardo, executive director of the Institute for a Drug-Free Workplace. "For chronic users, the job is the last thing to go. The car is repossessed, the good credit rating is lost, the marriage breaks up -- but the job is preserved. Why? Because drug-abusing employees need their paychecks to support their habits." And they sometimes need the workplace itself, says de Bernardo, "as a cover to buy and sell drugs." And this is something that their fellow workers are concerned about. A recent Gallup survey shows that the overwhelming majority of workers favor drug-testing to identify those of their colleagues who may endanger the workplace by their

drug abuse. Sixty-eight percent would test suspected fellow employees, and 53 percent favor random testing of all employees.

On the economic downside, drug abusers cost American business more than \$60 billion a year -- through decreased productivity, increased absenteeism, workplace accidents, medical costs, and even theft. The U.S. Chamber of Commerce has found that the recreational drug user, born between 1948 - 1965, is late three times as often as his clean-and-sober co-worker. They are also absent from work more often, more prone to ask for time off, five times more likely to file a workers' compensation claim, more involved in accidents on the job and off the job. Basically, they are working at 67% of their potential.

I realize that many of you are already aware of these disturbing labor statistics, and doing what you can about them. In 1983, for example, only three per cent of all major corporations had drug-testing programs. Now that figure is above 50 per cent. Over 300,000 companies in America have Employee Assistance Programs -- originally designed to deal only with alcoholism -- to counsel and treat drug abusers in their employ. Other employers are complying with the 1988 Drug-Free Workplace Act, which requires any business selling goods or services to the federal government to prohibit drugs in the workplace and specify actions to be taken for violation of this anti-drug policy.

Drug-testing has gained broad public approval as a preventive strategy. We know it works from the military's experience in support of a concerted anti-drug effort since 1981. Over the past decade, drug use among enlisted personnel in the Navy, for example, has declined from 27% of those tested in 1981 to 4.8% in 1988. That same year, in the wake of the fatal Amtrak railroad accident, I personally appeared before the Supreme Court of the United States to defend the drug-testing of transportation workers, in the interests of public safety. Our appeal responded -- successfully -- to all doubts about confidentiality, fairness, and accuracy. And last year, the Congress enacted stiff, new, federal anti-drug rules for additional transportation industry employees.

To understand the magnitude of the danger, consider this recent finding by the National Transportation Safety Board: 33% of the truck drivers killed last year were impaired by drugs or alcohol, exposing countless other drug-free drivers to the risks of the road.

The public has come to understand that drug-testing is not just done in some draconian manner to impose sanctions on violators. Overall, drug-testing is seen as a deterrent in the interests of public, as well as industrial, safety. And most

humanely, it is used remedially to break through self-denial, to identify those who need rehabilitation, and to aid in treatment.

But preventive measures are still rare among small to medium-sized companies. Small entrepreneurs often employ ten persons or less, and do not possess the wherewithal to set up complex EAPs or other drug-free workplace initiatives. Their bind should not be overlooked, since smaller entrepreneurs -- perhaps some of you here today -- comprise 90 percent of American business, and employ 35 percent of all workers. To date, only seven percent of these employers have EAPs, and only three percent do drug-testing. They may believe they are close enough to their employees to recognize a drug problem when they see one (though don't count on it!), but they have neither the staff, nor the knowledge, to address drug abuse within the workplace.

I suggest to you that this is an area in which the public and private sectors might join together -- in the best spirit of Rotarian public service -- to fight drug abuse. In my own home state, the Attorney General recently proposed the establishment of a Foundation for a Drug-Free Pennsylvania to the Pennsylvania Business Roundtable. The Roundtable would represent the business community on drug issues, with a keen eye to the economic consequences of drug devastation throughout the state. The proposed foundation is gaining support, especially as an

institution to advice those businesses presently without drug programs -- how to obtain outside assistance for pre-employment drug-testing, or later random-testing, how to connect up with programs that provide education and treatment for drug abuse, or even how to help employees confront abuse within their own families.

We will be watching closely to see what public-private cooperation can do to help create, out of local action, a nationwide, clean-and-sober workplace. But we will also be offering what institutional guidance we can -- out of the considerable experience of the Department of Justice agencies -- that tends to prove out the usefulness of such public-private alliances.

In every U. S. Attorney's office, there is a Law Enforcement Coordinating Committee, specifically charged with supporting drug-free efforts in every judicial district. I am sure that Mike McKay is anxious for you to get in touch with Steve Carlisle, the LECC director, who is launching a new program in the wake of your clean-up of the Crips and Bloods in Tacoma.

Also, I trust the smaller entrepreneurs among you will take advantage of our Drug Reduction Coordinators, either through the DEA or the FBI. These coordinators can conduct one-day seminars

for supervisors or employees -- which can be particularly helpful in connecting smaller business with whatever larger anti-drug programs are available to them.

What will count most, however, is the mix and match between public programs and private interests to support drug rehabilitation, now strengthened as a goal of President Bush's National Drug Control Strategy. Increasingly, we are seeking to strike one of those grand bargains -- where everybody gains over dire circumstances, which contain so much threat that -- if we don't all cooperate -- everybody loses.

On our side of the bargain, I am here today to emphasize that we at the Department of Justice will do all in our legal power to halt the violent crime cycle of international narco-terrorism brought on by illegal street dealing encouraged by personal and illicit drug abuse. On that score, we are asking the Congress to enact this year the President's Violent Crime Package that includes new tools against drug criminals -- including a new death penalty law that would go a long way to deter the murderous proclivities of drug criminals, who at present have little or nothing to fear for their heedless killings of the most innocent bystanders.

But on your side of this understood bargain, you are being asked to do everything in your local power -- as both employers and citizens -- to help establish a drug-free workplace in your businesses. The law is there to support you, and the government to assist you, but only by bringing private and communal interests to bear upon the problem can you really succeed.

You will be protecting not only your own investment, but the future of the workplace in America. As our National Drug Control Strategy points out, so-called casual drug use is on the wane, but drug abuse grows ever more intractable among the disadvantaged of our cities and countryside. Unless we do more to stop the crack/cocaine crippling of these young people's lives, we are going to lose the workers who should be moving into those future workplaces. In the past, we have come through, and survived, the economic distress of the unemployed. But can we, in the future, pass through, and face, the social destitution of the drug-disabled unemployable? In large part, the answer is up to you.

And I'm betting on the fine public record of Rotary, especially out West here, where you always reach out your hand to your neighbor in his lonely need.