



# Department of Justice

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"WORKING TOGETHER TO TACKLE THE DRUG PROBLEM"

REMARKS

BY

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TO THE

SECOND NATIONAL CONFERENCE

ON

STATE AND LOCAL DRUG POLICY

WASHINGTON, DC  
TUESDAY, JUNE 18, 1991

Good morning. It's great to be back among the front line folks in the war on drugs. A special greeting to those of you I saw this spring at our first Violent Crime Summit, and to those of you I haven't seen since last year's state and local conference, it's good to be with you again.

Since we last met, substantial progress has been made in the war against drugs and violent crime. We are enjoying unprecedented international cooperation. Domestic law enforcement programs are achieving notable successes. A lot has happened, but in one important area, not much has happened.

As the President noted last week, his 100 day challenge to pass a crime bill has expired -- and the Congress has still left us without this important legislation. The President's Comprehensive Crime Bill will give us vital legal tools we need to do battle against violent crime -- violence that is aggravated by a flood of illegal firearms and fueled and funded by the drug traffic.

I remain optimistic that we can extricate this important legislation from the Congressional quagmire. Wouldn't it be gratifying if Capitol Hill were to give us a solid crime bill, not because of an impending election, but because this legislation is what the men and women on the front lines need to make America safe?

One particularly troublesome objection raised to this legislation would have the American people believe that this crime bill really doesn't matter because it only changes federal law, which involves only a small percentage of criminal law violators, and won't make a difference where the real action is -- at the state and local level.

But you and I know that is just not the case. Our critics discount the level of federal, state, and local interaction and cooperation. Take, for example, our flagship program, the Organized Crime Drug Enforcement Task Forces, where well over half of the cases were made with the assistance of local police. These cases, which are brought in federal court, target entire criminal organizations of drug traffickers, from the international kingpins down to the street-level dealers in your hometowns.

Or consider one of our newest programs, Operation Triggerlock, where every United States Attorney now has assigned a designated prosecutor to work with local authorities to target those particular criminal predators in their district who can be charged under the Federal Armed Career Criminal Act. Three prior state felony convictions for violent or drug offenses plus possession of a firearm will, under federal law, bring a swift

sentence of 15 years -- no probation, no parole, no plea bargaining, and no more problem to the community.

Or think about another of our current ventures. At the Justice Department, we are moving forward with the implementation of our "weed and seed" strategy. This is not a new program in the sense of a specific line-item in the budget. "Weed and seed" is a philosophy, a way in which the federal government views our responsibility to work with you at the state and local level to restore communities to the way we remember them in the good old days.

First we work with you to pull the "weeds," removing violent criminals, like drug dealers and gang members, from the community in coordinated sweep attacks. Then, we envision that various agencies from within the Justice Department can help plant the "seeds," working in partnership with others at the local level who will take the lead to help in rebuilding institutions and activities in these communities.

You can't tell me that federal law doesn't have an impact on state and local law enforcement! Perhaps that's why every major law enforcement organization in the country supports the President's bill. And I am sure your Congressmen and Senators will want to hear from you in this regard, as well!

There is one subject I would like to revisit with you this morning. At last year's conference, many of you will recall, I spoke about intermediate punishments, programs designed to fill the gap between probation and traditional incarceration. And we've taken considerable action since then. The Denial of Federal Benefits Program and the Civil Penalties Program have come on-line. Boot camp experiments are marching on. House arrests have multiplied. The use of intermediate punishments has grown significantly.

The common denominator of all of these programs is accountability -- holding individual drug users effectively accountable for their violations of society's laws and norms. This is the essence of law enforcement. We want drug kingpins held accountable. We want street dealers held accountable. And we want drug users held accountable.

Each of society's institutions must be dedicated as well to reducing the demand for drugs. This accountability message must be continually reinforced by the family, the school, the church, the workplace, and the community.

It goes without saying that the criminal justice system also has important responsibilities in the demand reduction arena.

Many of our drug abuse prevention and education efforts are well known to you. We fund programs such as DARE, the Drug Abuse Resistance Education effort that places police officers in elementary classrooms all over the country. Programs such as DEA's National Youth Sports Program, or the FBI's Boys and Girls Clubs, where special agents help teach children values, and how to distinguish right from wrong.

You may also be familiar with other community programs that we fund to help prevent drug use and the criminal activity that always follows in its wake. Programs such as Neighborhood Oriented Policing, where we help put the officer back on the beat. And, of course, who doesn't know about McGruff the crime prevention "spokesdog"?

However, other aspects of our demand reduction efforts are less well known. And they are less well defined.

Within the criminal justice system, we have a clientele who come to us already heavily involved with drugs. In fact, about half of those who enter the criminal justice system have a serious substance abuse problem. That is why the President's Drug Strategy appropriately places such a high priority on serving the treatment needs of this group.

The criminal justice system is uniquely situated to ensure that its clientele get involved in drug abuse education and treatment activities. Let's face it -- we, literally, have a captive audience!

The National Drug Control Strategy recognizes this need and suggests how we can meet it. It calls upon the criminal justice system to identify drug users throughout the system for referral elsewhere to treatment. And we have the means to do that identification. It's called drug testing.

As many of you know, I have long been a proponent of drug testing and argued personally before the United States Supreme Court the case that established our right to test federal employees. Drug testing is an important "early warning system" to alert criminal justice officials to potential risks to the community. Mandatory testing, with certain sanctions for coming up "dirty," provides a powerful incentive for offenders under correctional supervision to remain drug-free and to seek help for their addiction.

In short, I see drug testing as a valuable tool -- both as a diagnostic instrument and as a deterrent.

In the criminal justice setting, drug testing should be important from the moment an individual enters into our custody. Drug use is an important factor in decisions about pre-trial release, sentencing, and appropriate correctional system placement. Drug testing is also a useful tool to monitor offenders' behavior.

We have never been more serious about drug testing. The Administration's crime bill contains a section to formalize our nationwide program of drug testing for federal offenders on post-conviction release.

The President's crime bill also adds teeth to the call in each of the National Drug Control Strategies for conditioning eligibility for federal funding on a state's adoption of drug testing for targeted classes of offenders. These proposals are important and essential if we are to meet our public safety responsibilities. Yet, they are fair and sensitive to your budgetary concerns.

We have long been committed to working with you on the drug testing issue. Since 1988, the Justice Department has supported a drug testing project coordinated by the American Probation and Parole Association. Next month at APPA's conference, many of you will see the fruits of their exhaustive labors, a



comprehensive guide on policies and procedures for drug testing probationers and parolees. A sort of "everything you want to know about drug testing, but were afraid to ask" kind of compendium.

I commend this body of work to you. I know you will find it invaluable.

Inevitably, when we test for drugs we will find that many who have been remanded to our custody and care have substance abuse problems that need treatment. But who should provide this treatment? Who should decide what type of treatment is appropriate? And when do we intervene with these clients?

Let me try to answer these questions by first pointing to the federal model -- the Bureau of Prisons, where about half of their population has substance abuse problems.

The Bureau's program begins with appropriate assessment and classification. Their substance abuse treatment strategy follows through with a continuum of treatment services that begins with basic drug education programs, which are required for all inmates with substance abuse histories. The program also includes counseling services or placement in a comprehensive treatment unit.

The Bureau is also operating three pilot programs that represent state-of-the art efforts in residential treatment. And for those who have served their time, the Bureau also uses transitional services to ensure a smooth reintegration back into the community. Other than the education program which begins immediately, most services are tied to release dates.

I believe that this program has great promise. It is comprehensive and it is well-designed. But even a program this carefully planned must have built into it a rigorous research component to ensure that there is a thorough evaluation of its long-term impact. Because at this point, we still have some unanswered questions about what works in these settings and why.

How applicable is the Federal Bureau of Prisons model for state and local correctional agencies? On the one hand, you must consider that the federal population is generally with us for substantial periods of time, which in the case of drug treatment seems to have tremendous bearing on successful outcomes. On the other hand, our clients are not that dissimilar -- so what we learn in developing this program may be applicable for local prisons and jails.

In September 1989, our National Institute of Corrections convened a Task Force on Correctional Substance Abuse Strategies. Expert state and local practitioners representing jails, prisons, and community corrections met with corrections and treatment professionals from all across the federal government. Together they have formulated approaches to planning, implementing, and managing correctional substance abuse programs.

After 18 months of hard work, this Task Force has produced a path-finding guide called, "Intervening with Substance-Abusing Offenders: A Framework for Action." In this report, which will be released early next month, they found that there are some treatment programs that will work for offenders, that security and treatment concerns can be addressed simultaneously, that offenders need to be placed in appropriate programs, that linkages must be established between all service providers, and that accountability and evaluation are essential.

I would like to focus for a moment on those last two issues -- system linkages and accountability. It is critical for the supply reduction and demand reduction professionals to work together on treating drug abusing offenders. We come at the problem from different backgrounds and experiences, to be sure, with different skills and abilities, not to mention different orientations. But we can take the best that both have to offer

to reach this difficult population of the substance abusing offender.

The other matter that I want to emphasize is effectiveness. We must learn from our successes, and we must learn from our failures. We have our share of both in the law enforcement arena. And we have our share of both in the field of drug prevention and treatment.

Let me share with you a couple of examples. Several weeks ago Governor Martinez and I had the pleasure of getting a first-hand look at two exceptional programs in the Tampa, Florida area. We began the day with a visit to one of Tampa's Q.U.A.D. Squads, dedicated cadres of uniformed police officers working to take back the streets, block by block, quadrant by city quadrant, followed up by other city agencies to rehabilitate the neighborhoods -- a true "weed and seed" exercise.

Our next stop that morning was at Operation PAR, which provides prevention, education, and treatment services for juveniles and adults involved with drugs, many of whom probably entered the criminal justice system as a result of the Q.U.A.D. Squad's work!

Operation PAR has subjected itself to numerous evaluations and is committed to ensuring that their system maintains its integrity. We need more quality drug abuse education and treatment programs like this -- not just more programs for the sake of having more programs.

I have a very selfish motive for wanting to see these efforts succeed. Because the more successful we are in preventing and treating drug abuse, the easier our law enforcement jobs will become. We're counting on you to make a lasting difference. Because law enforcement alone cannot solve the drug problem.

As I have often said, "If we want to lose the war on drugs, we can just leave it to law enforcement." While our efforts to reduce the supply of drugs and to reduce the number of traffickers are essential, these efforts won't matter nearly as much in the long run as will our joint efforts to reduce the number of drug users and their appetite for these illegal substances.

I wish you well and Godspeed in your efforts.