

Clark 72-1

Memorandum
To: Mayor Ann Rudin
Re: Drug Task Force
Page #2.

August 25, 1986

SACRAMENTO METROPOLITAN DRUG TASK FORCE

OBJECTIVES:

1. To increase law enforcement and prosecutorial efforts to apprehend and convict drug dealers.
2. To increase public drug awareness and public involvement in the reduction of drugs in the neighborhoods.

PRIMARY TASK FORCE:

Mayor - Council
County - Yolo
Police
Sheriff
Probation
District Attorney
Judge
School - City, County, Private
Public Health
Health Care
News Media
Religious
Voluntary Organizations
Private Sector
Community Groups

A. Sac Metro Drug
Task Force
B. Omnibus Narcotics
Legislation

Council to take
Action.

URGENT!

August 22, 1986

TO: The Mayor

FROM: John J. Gunther

RE: The Omnibus Anti-drug Bill

House leaders have assembled the provisions of bipartisan omnibus anti-drug legislation which will go to the House floor immediately following the Labor Day recess. The attached highlights of the bill were sent to every House member just prior to the recess. The provisions are based on the recommendations of the various committees with jurisdiction.

While the legislation presents a comprehensive approach to dealing with this serious national problem and should be supported, there is one key area about which the Conference of Mayors is concerned. The bill provides \$100 million the first year and \$200 million the second for state and local law enforcement and other criminal justice functions. Of this, 65 percent goes to the states, and presumably through them in part to local law enforcement agencies. These grants must be matched dollar for dollar with state or local funds. The remaining 35 percent of the funds are to be used by the Drug Enforcement Agency for discretionary grants.

The State and Local Narcotics Control Assistance Act, which the Conference of Mayors endorsed through a resolution adopted at the annual meeting in June, would provide \$750 million per year, with the funds evenly divided between enforcement, prosecution, adjudication, corrections and plant eradication. This bill recognizes the considerable financial strain under which state and local agencies are currently operating. **DURING THE RECESS, PLEASE CONTACT YOUR REPRESENTATIVES AND URGE THEM TO SUPPORT OR INITIATE AMENDMENTS TO INCREASE THE FUNDS PROVIDED THROUGH THE OMNIBUS BILL FOR STATE AND LOCAL CRIMINAL JUSTICE FUNCTIONS, AND TO ELIMINATE THE MATCHING REQUIREMENT.**

HIGHLIGHTS
OF
BIPARTISAN OMNIBUS ANTI-DRUG BILL
In the U. S. House of Representatives
August 1986

The omnibus legislation seeks to attack the illicit drugs menace in five ways -- to eradicate drug production in the fields and factories where it originates; to intercept and interdict shipments inbound to the United States; to enforce more vigorously the drug laws that protect our streets, our schools and our homes; to educate our people -- especially our children -- on the dangerous and degrading effects of narcotics; and to rehabilitate and restore to normal lives those who already have fallen victim to drugs.

Here are the highlights of the legislation:

ERADICATION

In a carrot-and-stick approach, the bill creates greater incentives for foreign nations to cooperate with the United States in eradicating drug crops and apprehending smugglers.

The legislation also requires the President to deny most-favored-nation status and other preferential tariff treatment to drug-producing countries which refuse to cooperate in stanching the flow of drugs and apprehending traffickers.

The bill authorizes funds for international narcotics control, and directs the President to report to Congress within six months on how the armed forces, including the National Guard, can be used most effectively in the drug war.

In its participation in international lending institutions, the United States will be required to use its financial resources, its votes and its influence to promote the reduction and eventual elimination of narcotic crop production.

INTERDICTION

To detect incoming air and sea shipments of illegal drugs, the bill provides for additional narcotics control aircraft and for aerostat radar balloons, to be deployed both on land and at sea. Also authorized is the purchase of other types of sophisticated high-tech detection equipment.

For the Coast Guard the bill provides additional personnel and equipment to increase its anti-drug efforts without neglecting its search-and-rescue and other regular missions. Moreover, the legislation continues the Tactical Law Enforcement Teams presently deployed aboard Navy ships to expedite the searching of suspicious vessels.

The Customs Service is given authority for new controls on vehicles and vessels arriving in the United States to apprehend drug smugglers, and for the expansion of its Customs Forfeiture Fund, which is used to finance drug interdiction work.

In the Postal Service, the existing prohibition against the shipment of controlled substances is codified into law. The Secretary of State is instructed to upgrade criminal extradition treaties and to streamline procedures for U. S. boarding of vessels suspected of carrying narcotics.

The measure also expedites the sharing of information from country to country on the issuance of visas and other information useful in monitoring drug trafficking and narco-terrorism.

ENFORCEMENT

The bill puts new teeth in narcotics enforcement, increasing penalties throughout and providing mandatory minimum penalties for most dangerous drugs (cocaine freebase, PCP, heroin, designer drugs, fentanyl analogs, narcotics); provides additional enforcement tools, such as deputization of state and local law enforcement to work with the Drug Enforcement Administration.

For the first time it will become a federal crime to involve children in the manufacture or distribution of controlled substances. The crime of selling drugs within 1000 feet of a school is expanded to include manufacture and to apply to colleges and universities.

Cracking down on the laundering of drug money by banks and other financial institutions, the bill provides stiff civil and criminal penalties for violations of the Bank Secrecy Act, and authorized the seizure and forfeiture of cash or property of persons apprehended in these violations. Internal Revenue Service authority is expanded in this area.

The bill extends the Armed Career Criminal Act to include mandatory 15-year prison sentences for the possession of a firearm by persons with convictions for drug trafficking.

The bill authorizes funds for state and local drug enforcement grants; for the Drug Enforcement Administration; for federal prison construction and operations and for U. S. Marshals.

Individual states are authorized to establish criminal penalties, including the forfeiture of aircraft, for violations of the Federal Aviation Act's aircraft registration system, such as the forgery of certificates and displaying false markings on an aircraft. Also established are criminal penalties for violations of Federal Aviation Administration regulations in the illegal transportation of drugs.

Customs Service investigators are given more latitude to engage in undercover activities, and new penalties and reporting requirements are added to the Tariff Act.

The President is required to submit legislation to reorganize and establish teamwork among U. S. drug enforcement agencies with the goal of halting the bureaucratic rivalry, turf wars and competition for funding that in the past have handicapped federal efforts to combat drug production, smuggling, distribution and use.

Also the legislation focuses on so-called "designer drugs," with provisions to improve enforcement procedures.

EDUCATION

Federal assistance is provided to the states for programs of drug abuse education and prevention, covering classes from kindergarten through the 12th grade, through community-based organizations. Programs also are provided for institutions of higher education.

The Department of Defense is directed to establish drug abuse programs in all its schools for military and civilian dependents. Again, these would cover all classes -- kindergarten through 12th grade. Also anti-drug programs are established for all adult DOD personnel and their families.

The bill also: (1) directs the President to convene a White House Conference on Drug Abuse and Drug Trafficking Control; (2) establishes an Advisory Commission on the Comprehensive Education of Intercollegiate Athletes; (3) creates a program to assist Indian tribes in the prevention and treatment of drug abuse among their youth; (4) provides for the Secretary of Transportation to study the relationship between drugs and highway safety; and (5) establishes a national clearinghouse to collect and distribute drug information, to provide technical assistance and to identify research priorities.

REHABILITATION

The bill strengthens federal drug and alcohol abuses prevention programs and assures the states adequate resources to provide treatment and rehabilitation services.

In the federal government itself, the Office of Personnel Management is directed to develop anti-drug programs for employees. Codified into law are Employee Assistance Programs in federal agencies to combat substance abuse.

AMENDED

POSSE COMITATUS

AR copy (22-1)

RESOLUTION

WHEREAS, the flow of drugs into this country has reached epidemic proportions; and,

WHEREAS, the major drugs illegally used in the United States -- heroin, cocaine and marijuana -- are grown almost exclusively outside of the United States and then imported for illegal profit into this country; and,

WHEREAS, the United States Commissioner of Customs has said that cocaine is now so abundant that traffickers "are literally throwing it at our shores"; and,

WHEREAS, the effects of this unique form of international assault upon American society are felt nationwide, and are measured in misery, addiction, disruption of the family and death; and,

WHEREAS, no state and local government can prevent the importation of drugs by land, sea and air, across our international borders; and,

WHEREAS, the Posse Comitatus Act of 1878 denies America its most effective drug interdiction asset, by prohibiting use of the armed forces in enforcement of civil law, except as expressly authorized by Congress or the Constitution; now, therefore, be it

RESOLVED, that the Federal government must recognize that it has the primary responsibility in reducing the level of drug abuse in this country; be it further

RESOLVED, that the United States Congress should ensure the effective interdiction of narcotics at and outside our nation's borders and must declare such interdiction, to include the powers of arrest, search and seizure, to be a mission of the armed forces; be it further

RESOLVED, that the Navy, Coast Guard and Air Force shall be the primary interdiction assets, with the Army and Marine Corps to be deployed only in exigent circumstances.

yes

FOREIGN AID

RESOLUTION

WHEREAS, on April 8, 1986 the President of the United States of America issued a National Security Decision Directive recognizing that international drug trafficking is a threat to our national security; and,

WHEREAS, in July 1986 the President decided to make the establishment of effective drug-control programs by drug-producing countries a "consideration" in the awarding of foreign aid to such nations; and,

WHEREAS, foreign aid is a compelling incentive for other nations to cooperate with the United States in halting the massive influx of drugs from which the United States immeasurably suffers; now, therefore, be it

RESOLVED, that the Federal Government must do more than make drug control a foreign aid "consideration"; it must also from this day forward withhold all forms of foreign aid and preferential treatment from any country failing to ^{make every effort to} eradicate narcotics within its borders or failing to ^{make every effort to} suppress the manufacture and trafficking therein of narcotics and psychotropic drugs.

as a result of the

FEDERAL REGIONAL TASK FORCES

22-1

yes

RESOLUTION

WHEREAS, certain federal judicial districts throughout the United States periodically experience an extraordinary volume of narcotics arrests and prosecutions; and,

WHEREAS, the fair and speedy administration of justice in such matters requires the temporary infusion of executive, judicial and legislative resources beyond existing appropriations; now, therefore, be it

RESOLVED, that the President must identify such federal districts and designate them as Federal Regional Task Force Zones; be it further

RESOLVED, that the Executive branch shall increase the number of prosecutors, agents of the Drug Enforcement Administration, Federal Bureau of Investigation, and Immigration and Naturalization Service, as well as I.N.S. hearing officers; the Judicial branch shall assign additional federal judges to hear the cases pending or generated in that district during the life of the Task Force Zone; and the Legislative branch shall appropriate the funds needed to fund the Task Force Zones.

DEPORTATION OF ALIENS CONVICTED OF NARCOTICS CRIMES

yes

RESOLUTION

WHEREAS, a large number of illegal aliens are involved in drug trafficking in the United States of America; and

WHEREAS, it is the primary responsibility of the United States Immigration and Naturalization Service (I.N.S.) to locate and deport illegal aliens; and

WHEREAS, a March 1986 report by the General Accounting Office found that of a sampling of 200 persons identified by the I.N.S. in November 1985 as criminal aliens meeting the legal criteria for deportation, 77% were arrested again for committing another crime, 45% were arrested more than once after their first release, and 11% were arrested five or more times; and

WHEREAS, the I.N.S. has been notably deficient in identifying and deporting resident aliens who are convicted of drug and drug-related crimes; now, therefore, be it

RESOLVED, that the United States Congress direct I.N.S. to establish as a first priority the location and deportation of those aliens convicted of drug offenses; be it further

RESOLVED, that the I.N.S. be directed to improve security at its detention centers and to report to Congress on its progress in these areas within a prescribed time period.

RESTORATION OF H.R. 526

yes

RESOLUTION

WHEREAS, state and local jurisdictions lack sufficient money, manpower and other resources to adequately combat the drug problem; and,

WHEREAS, the Federal government assigns fewer enforcement agents to combat drugs than do certain major American cities; and,

WHEREAS, certain local jurisdictions incarcerate many times more the number of narcotics offenders than does the Federal government; and,

WHEREAS, state and local jurisdictions devote disproportionately large amounts of their budgets to drug education, in addition to other programs designed to combat drugs; and,

WHEREAS, on August 13, 1986 the House Judiciary Committee substantially dismantled the provisions of H.R. 526, the State and Local Narcotics Control Assistance Act, by reducing its length, scope, and utility to the intended beneficiaries, state and local governments, which must confront an inundation of drug arrests and prosecutions; now, therefore, be it

RESOLVED, that the United States Congress must restore H.R. 526 in its original form, appropriating to state and local authorities ^{an amount of} \$625 million dollars every year for 5 years to increase enforcement, prosecution, ~~corrections~~ and eradication programs designed to combat drugs.

Yes

MONEY LAUNDERING

RESOLUTION

WHEREAS, the drug trade generates immense profits, ranging to \$120 - \$130 billion each year in the United States alone; and,

WHEREAS, the money transactions involved in the drug trade have created an underground banking industry to handle such transactions; and,

WHEREAS, there is no Federal statute to bar such transactions; now, therefore, be it

RESOLVED, that the United States Congress must enact a "money-laundering" statute, such as that proposed in the omnibus bill now before the House of Representatives, that would bar money transactions by those intending to promote or profit from unlawful drug trafficking.

yes

SPECIAL FEDERAL NARCOTICS COURTS

RESOLUTION

WHEREAS, there is an immediate national need that justice be swift and sure in criminal cases involving narcotics offenses; and,

WHEREAS, the United States District Courts retain mixed calendars involving both criminal and civil dockets; and,

WHEREAS, the criminal dockets of state and local courts in some jurisdictions are overburdened with an ever-increasing and growingly unmanageable number of narcotics cases; now, therefore, be it

RESOLVED that the Congress should establish separate United States Special Narcotics Courts which would have jurisdiction of all Federal narcotics offenses, and which could also relieve local criminal courts, where appropriate, by taking jurisdiction of narcotics cases involving violation of both Federal and state law, in such numbers as would restore the caseload of the local courts to a justified, manageable number.

SEPARATE NARCOTICS PRISONS

yes

RESOLUTION

WHEREAS, the trafficking and abuse of narcotics is an assault upon American society and an odious transgression of the social contract; and

WHEREAS, drug offenders may be motivated to abandon their trade if threatened with segregation from other inmates in separate prisons; and]

WHEREAS, the nation's prisons are overcrowded with criminals of every kind; now, therefore, be it

RESOLVED, that United States Bureau of Prisons ~~must designate separate~~ narcotics prisons for the exclusive imprisonment of drug offenders.

*consider use of separate
install - approp.
in that purpose*

Koch:

*use old basic training camps' barracks.
now only 41,000 fed. cells*

NATIONAL DRUG EDUCATION CORPS

yes

RESOLUTION

WHEREAS, the scope of drug use is a national concern that crosses every geographical, ethnic, age, racial, occupational and religious grouping; and,

WHEREAS, those who traffic in drugs seek to foist their ware on the young, the school student, and others who are unaware of the horrid consequences of drug use to themselves, their families, and their futures; and,

WHEREAS, educational programs across the United States, such as the Drug Abuse Resistance Education Program of the Los Angeles Police Department and the School Program to Educate and Control Drug Abuse of the New York City Police Department, have had substantial local success in alerting our students to the dangers of drug use; and,

add →

WHEREAS, the Peace Corps, has since 1960, used trained professionals to combat poverty through education and training throughout the world; and,

WHEREAS, domestic America does not now have but critically needs a national cadre of trained professionals to help our citizens fend off the omnipresent temptation to experiment with drugs; now, therefore, be it

RESOLVED, that the United States Congress establish a National Drug Education Corps, modeled on the Peace Corps, to instruct all of our citizens, and in particular our students and young people, about the perils of drug abuse.

add → *provide anti drug bill approx. funds*

OK

CHILD ABUSE AND NEGLECT

RESOLUTION

RESOLVED that the courts should recognize that parental or guardian alcohol and drug abuse is a frequent contributing factor in child abuse and neglect incidents, and existing neglect and other child protection laws should be utilized to assist families in dealing with alcohol and other drug abuse; be it further

RESOLVED that where existing child abuse and neglect laws do not enable the courts to deal with incidents in which alcohol and drug abuse are factors, these laws should be amended to provide such authority.

CHILD CUSTODY AND VISITATION

OK

RESOLUTION

RESOLVED that whenever decisions affecting custody and visitation rights are made, judges handling domestic relations cases should exercise authority to require, in order to promote the best interest of the child, the evaluation of a parent by appropriate alcohol or other drug treatment professionals, whenever the judge has credible evidence to suspect that the parent has alcohol or other drug abuse problems.

MEDIA ADS

yes

RESOLUTION

RESOLVED that concern should be expressed about media programming which glamorizes or promotes the use of alcohol or drugs. Appropriate entities should be encouraged to continue research and other efforts to limit the effect which media programming or advertising has upon the use of alcohol or other drugs.

MANDATORY ANTI-DRUG PUBLIC SERVICE ANNOUNCEMENTS

RESOLUTION

yes

WHEREAS, television and radio have vast influence over our culture;
and,

WHEREAS, television and radio are among the most effective media for
the dissemination of ideas and information; and,

WHEREAS, the television and radio industries routinely broadcast
public services announcements to promote the social good; now, therefore, be it

RESOLVED, that the United States Congress must require, through the
Federal Communications Commission, television and radio stations to broadcast,
during prime time hours, public service announcements warning of the perils of
drug abuse.

yes

ILLEGAL SALES TO MINORS

RESOLUTION

RESOLVED that criminal penalties for persons convicted of illegally selling alcohol or other drugs to minors should be greater than current penalties for such sales to adults.

DRUG PARAPHERNALIA LAW

yes

RESOLUTION

RESOLVED that Federal legislation should be enacted to prohibit transportation or shipment of drug paraphernalia, as defined in the Model Drug Paraphernalia Act, either by mail through the United States Postal Service or in interstate commerce.

yes

yes
Follow up on item — with Fed govt —
Pri. responsibility is with Fed govt —
US Conf — NLC — NACB — will
put all this on their agendas.
Civics, C's P.

MUNICIPALITIES' EMERGENCY NARCOTICS DISCUSSION
NEW YORK CITY, NEW YORK

JOINT STATEMENT OF THOSE ATTENDING
MUNICIPALITIES' EMERGENCY NARCOTICS DISCUSSION
AUGUST 26, 1986

Over the last two days mayors, county executives, police chiefs and their staffs from all regions of the country have engaged in a wide-ranging, open, and very productive discussion convened by Congressman Charles Rangel and Mayor Edward I. Koch on how to solve America's number one domestic problem -- the drug scourge.

Our task is an urgent one. For the first time in recent history, America is being invaded successfully, not by a foreign power bent on enslaving us, but by those bent on making a filthy profit by smuggling and selling illicit drugs that have already poisoned and could ultimately destroy our society. If we do not act, not just our generation but many still to come will suffer a terrible defeat that cannot be reversed.

We are at war. But today we have sounded the trumpet. For too many years, addressing the drug problem has been seen as principally a local responsibility. Though none of the city or county executives in attendance at this Municipalities' Emergency Narcotics Discussion wishes to walk away from his or her responsibility, today we have clearly said to the White House and to the Congress that we have neither the fiscal resources nor the legal powers to fight this battle alone.

The resolutions we have adopted today outline a comprehensive and effective strategy that the federal government can take to help city and county governments to address a problem that, given the current level of federal support, threatens to overwhelm them. Specifically, these resolutions call for:

-- That the federal government recognize that it has primary responsibility in reducing drug abuse in this country through an interdiction program using the Navy, Coast Guard, Air Force and, in exigent circumstances, the Army and the Marine Corps.

-- That the federal government direct the Immigration and Naturalization Service to have as its first priority the location and deportation of aliens convicted of drug offenses.

(more)

-- That the federal government withhold all forms of foreign aid from countries which have failed to make every effort to eradicate narcotics within their borders.

-- That the federal government must restore H.R. 526 to its original form and at a minimum appropriate \$625 million a year for the next five years to state and local authorities for use in combatting drugs.

-- That the federal government enact a "money laundering" statute barring money transactions by those intending to promote or profit from unlawful drug trafficking.

-- That the federal government instruct the U.S. Bureau of Prisons to consider use of existing installations, including military bases, for the exclusive imprisonment of drug offenders.

-- That the federal government establish a separate U.S. Special Narcotics Court which would have jurisdiction over all federal narcotics offenses, thereby relieving overburdened local court systems.

-- That the federal government designate as Federal Regional Task Force Zones those areas of the country experiencing an extraordinary volume of narcotics arrests and prosecutions and increase the number of prosecutors, agents of the Drug Enforcement Administration, Federal Bureau of Investigation, Immigration and Naturalization Service as well as assigning additional federal judges to hear cases generated by these additional agents in these zones.

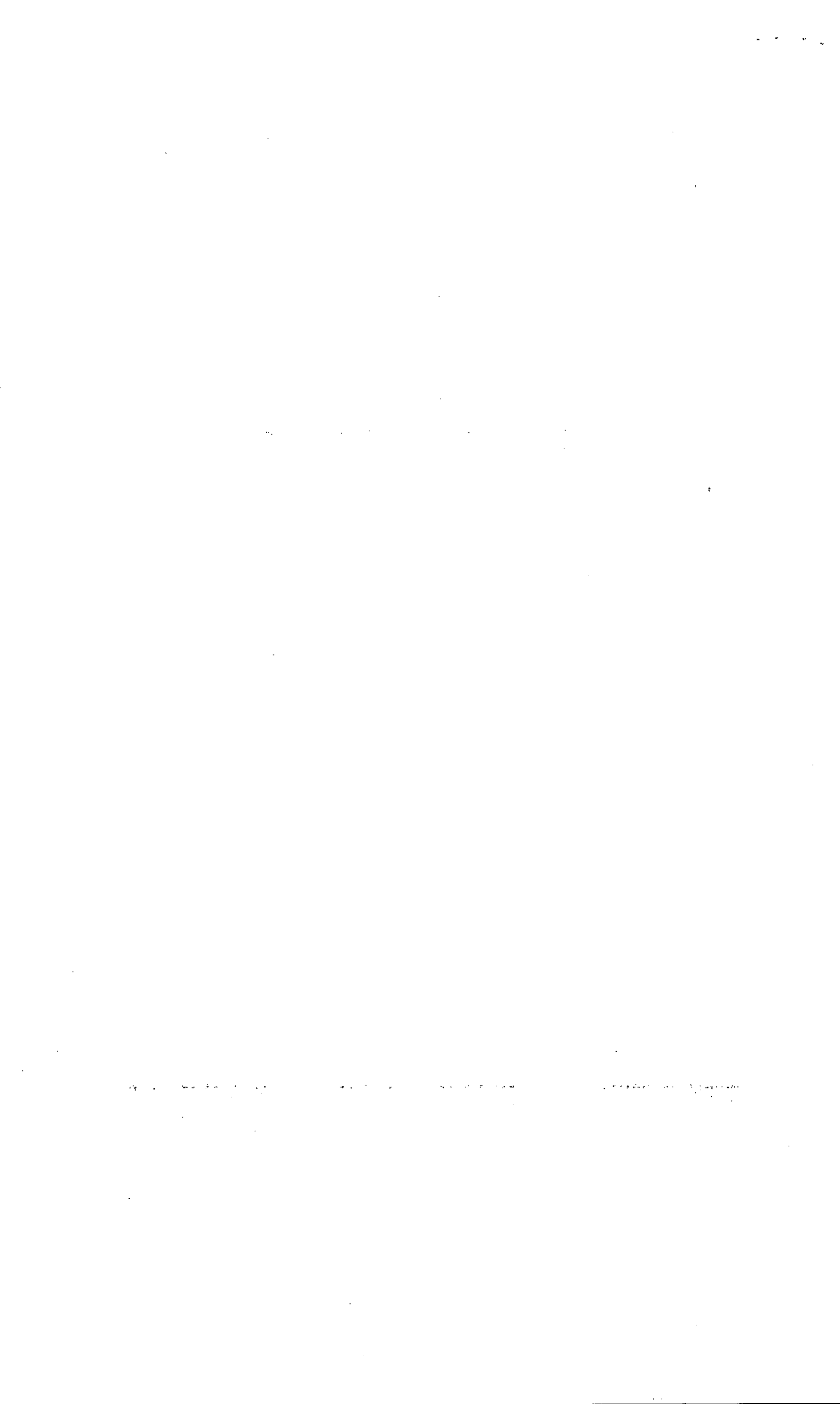
-- That the federal government establish a National Drug Education Corps, modeled on the Peace Corps, to instruct all of our citizens, in particular young people, about the perils of drug abuse.

-- That the federal government must direct the Federal Communications Commission to order television and radio stations to broadcast, during prime time, public service announcements warning of the perils of drug abuse.

-- That the federal government prohibit transportation or shipment of drug paraphernalia either by mail or in interstate commerce.

Beyond these actions by the federal government, those in attendance at this Discussion also passed resolutions proposing that:

(more)



-- Appropriate entities be encouraged to continue research and other efforts to limit the effect which media programming or advertising has upon the use of alcohol and other drugs.

-- Where existing child abuse and neglect laws do not enable the courts to deal with incidents in which drug abuse and alcohol are factors, the laws should be amended to provide such authority.

-- Wherever there is credible evidence to suspect that a parent involved in a custody or visitation case has an alcohol or other drug abuse problem, a judge handling such a case should require the evaluation of the parent by appropriate treatment professionals.

-- Greater criminal penalties should be enacted against persons convicted of illegally selling alcohol or other drugs to minors than the current penalties for such sales to adults.

As important as any of the resolutions we have adopted today the final one known as the "follow up" resolution which calls upon organizations like the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties to give expeditious and favorable consideration to our resolutions and to join us in our efforts to convince the Congress and the White House to adopt them. We believe the support of these organizations will be crucial to our efforts.

Occasionally, we are given an opportunity to move forward more quickly and aggressively in solving a problem than would normally be the case. That is the situation with the drug crisis now facing this country. Americans of every region and of every party want something done about the problem. The proposals we have adopted today point the way to all of those interested in responding to the wishes of the American people in this matter.

We are particularly grateful that House Majority Leader Jim Wright joined us today to speak on what he believes Washington should be doing to assist local government. It is a clear sign that the federal government is beginning to listen to the needs of city and country officials. We look forward to working with him and other members of Congress in securing passage of these resolutions. The time to move forward with them is now. We are pleased that Jim Wright and the Congress will be moving forward with us.