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# MAILING OF DRUG SAMPLES TO GOVERNMENT OFFICIALS FOR ANALYSIS

GOVERNMENT

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## HEARINGS

BEFORE THE

### INVESTIGATIONS SUBCOMMITTEE

AND THE

### SUBCOMMITTEE ON POSTAL FACILITIES AND MAIL

OF THE

### COMMITTEE ON POST OFFICE AND CIVIL SERVICE HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

SECOND SESSION

ON

## H.R. 12383

A BILL TO AMEND CHAPTER 30 OF TITLE 39, UNITED STATES  
CODE, TO PERMIT A PERSON, IN COMPLETE ANONYMITY, TO  
SEND SUBSTANCES IN THE MAILS WHICH THEY SUSPECT ARE  
DRUGS TO GOVERNMENT OFFICIALS FOR ANALYSIS, AND FOR  
OTHER PURPOSES

MARCH 9, 10; APRIL 14; MAY 10, 1972

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# H. R. 12383

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 1972

Mr. DULSKI introduced the following bill; which was referred to the Committee on Post Office and Civil Service

---

## A BILL

To amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to Government officials for analysis, and for other purposes.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That chapter 30 of title 39, United States Code, is amended  
4     by adding at the end thereof a new section to read as follows:  
5     “§ 3012. Mailing of drugs for analysis

6     “(a) Notwithstanding any other provision of this title  
7     and notwithstanding any other provision of law, any sub-  
8     stance suspected of being a drug may be mailed by any per-  
9     son to an employee of the Federal Government, or a State



1 or local government, whose official duties are comprised, in  
2 whole or in part, of the prevention of drug abuse, in order  
3 to ascertain whether such substance is in fact a drug.

4 “(b) A package, envelope, or other container in which  
5 a substance is mailed under this section may be marked to  
6 insure that the sender will retain complete anonymity and  
7 will permit the sender to inquire by telephone of the person  
8 to whom it was mailed whether the substance which he  
9 mailed is in fact a drug.

10 “(c) The term ‘drug’, as used in this section, has the  
11 same meaning given the term ‘controlled substance’ under  
12 section 802 (6) of title 21.

13 “(d) The Postal Service shall prescribe such regulations  
14 as may be appropriate to carry out the provisions of this  
15 section.”.

16 SEC. 2. The table of sections of chapter 30 of title 39,  
17 United States Code, is amended by adding at the end thereof  
18 the following:

“3012. Mailing of drugs for analysis.”.

19 SEC. 3. Section 308 (a) of the Controlled Substance  
20 Act (21 U.S.C. 828 (a) ), is amended by adding immedi-  
21 ately before the period at the end thereof the following “or  
22 except under section 3012 of title 39”.



## MAILING OF DRUG SAMPLES TO GOVERNMENT OFFICIALS FOR ANALYSIS

TUESDAY, MARCH 9, 1972

U.S. HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INVESTIGATION OF THE  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The subcommittee met at 10 a.m., in room 704, U.S. Courthouse, Buffalo, N.Y., Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Present: Hon. John R. Rousselot, California; Vincent M. Gaughan, staff director and special counsel; Victor C. Smirollo, counsel; Edward T. Hugler, investigator; and Tony Raymond, staff assistant.

Congressman DULSKI. The meeting will come to order.

During my tenure in office as your Congressman, I have encountered many problems which at first appeared to be without solution. However, hundreds of good minds in the House and Senate, in cooperation with civic minded citizens and organizations, have in most cases provided us with answers.

One of our major problems today, still no way close to being solved, is the increasing use of narcotics; especially by the young. This problem has confounded the best efforts of the combined forces of local, State, and Federal enforcement agencies.

Solutions have been sought unsuccessfully by many parents and individuals. These fine people have banded together into many worthwhile organizations to fight this menace. Yet the solution is nowhere in sight.

In my opinion, the answer lies in a total national effort with the primary leadership supplied by the Congress.

Present law prohibits the mailing of drugs under any circumstances.

I introduced a bill in January of this year which would grant an exception by permitting a person to mail a substance, suspected to be a dangerous drug, to a Government agency for analysis purposes only.

The bill requires that the person mailing the suspected contraband remain anonymous. As an example, he could select his own six-digit number, insert it in an envelope along with the date.

After a reasonable period, perhaps one week, he would telephone the Government agency, identify himself by this code number and the date and receive the analysis.

Unfortunately, there has developed recently a pattern of fear and lack of confidence on the part of many individuals in dealing with enforcement agencies. There is no question that such reactions are totally unjustified in the vast majority of cases, but nevertheless must be recognized. Therefore, the element of anonymity is essential.



I realize that should this bill be enacted, it would not be a total answer, but it is a step in the right direction.

It recognizes the drug crisis as a national problem. Hopefully, it will be the forerunner of other legislation which will give us the complete answer.

More importantly, should the bill serve as the means whereby even one of our cherished youth is saved from addiction, it should have been worthwhile.

We have here with us this morning a good friend of mine who came in all the way from California to take part in these hearings. I am most honored to serve with him in the U.S. Congress. John, I am very happy that you are with us here this morning.

Congressman ROUSSELOT. Mr. Chairman, I am very appreciative of the chance to be here to discuss this bill, H.R. 12383. First of all, I want to thank you, Mr. Chairman, for arranging such fine weather. This is like California. When I got here last night and saw all the snow, I thought I was up in the Angeles National Forest at home.

Chairman DULSKI, I know that you have been one of those in Congress that have been one of the major leaders in making sure that Congress finds ways to move effectively in dealing with the problem of drugs, especially in the way it is affecting the younger people. I know that you have been one of those that has led the fight to try to do something constructive about it and not just complain about it or talk about it. I was very pleased when our investigative subcommittee of the Post Office Civil Service Committee decided to take up hearings here in Buffalo and also in my home area of Los Angeles which also has a tremendous problem with drugs. In California, much of it comes across the border from Mexico.

I am very, very pleased that we are taking the time to hear witnesses today, that is law enforcement officers—people in the rehabilitation field—that have had to deal firsthand with this problem and to try to intelligently convey to us in Congress how we can do something about it.

I know you have obtained your fine sheriff here today, Sheriff Amico, and others who are going to try to give us their personal experiences in the field with which this bill deals. Another hopeful finding to come out of these hearings might be how can we get more parents to take an active part in telling us and those in the law enforcement the reasons why young people fall prey to this very dreaded problem of hard narcotics and drugs. So I am pleased that I have been asked as one of your colleagues to participate in this hearing because it is a problem nationwide. I am pleased to be here today to participate in the discussion of this legislation and I think that the people here know, Chairman DULSKI, what a fine public servant you have been in taking the leadership in Congress to do something constructive about it.

Thank you very much.

Chairman DULSKI. Before starting, I would like to introduce the special counsel, Mr. Vincent M. Gaughan; the committee counsel, Mr. Victor C. Smirollo; Mr. Ed Hugler, staff investigator; and Mr. Tony Raymond from the minority staff. We have both parties represented here and there are also my administrative assistant from my personal staff, Mr. McCabe; and also another guiding light of Buffalo, Mr. Crucian Messina.

Our first witness today is my good friend, the Honorable Michael A. Amico, sheriff of Erie County. It is only fitting that our first wit-



ness today be Sheriff Amico because it was he who suggested to me about 3 months ago that the postal laws be changed to allow the mailing of drugs for analysis.

Sheriff Amico, your fine service to the community is a tribute to the high office you hold. I would be very much honored if you would take the witness stand and give us your statement and any other information which, I am sure, will be most helpful in solving this very great problem.

Sheriff AMICO. Thank you for your fine comments, Congressman Dulski. I have with me Joseph Tuttolomondo, the chief of the Narcotics Bureau of the Erie County Sheriff's Department.

I do have a prepared statement which I would like to start out with, if I may. I would like to read it, Mr. Chairman.

Chairman DULSKI. Before you proceed, I would like to make a comment or two. On behalf of the members of this subcommittee and myself, I extend to you a most grateful welcome, grateful because you have consented to take time out from your busy schedule to be with us this morning, and welcome because I know that through your vast expertise in the fields of dangerous drugs and narcotics, your presentation will be of immeasurable help to this committee in its quest for knowledge in this most frustrating field.

I know, of course, that you need no introduction to most people in this room but for the benefit of Congressman Rousselot and other people who may have journeyed here this morning from far afield, I want to simply say that Sheriff Amico is probably one of the most widely known law enforcement officials in all of this part of the country. He is a gentleman who has been regarded in the vanguard of the fight against illegal drugs for many years.

I also extend a warm welcome to you, too, Chief Tuttolomondo. We are sure that your testimony will also be most enlightening and beneficial to our committee.

Mr. GAUGHAN. Sheriff Amico, for the record, would you please give your full name and title.

**STATEMENT OF HON. MICHAEL A. AMICO, SHERIFF OF ERIE COUNTY, N.Y., ACCOMPANIED BY JOSEPH A. TUTTOLOMONDO, CHIEF, NARCOTICS BUREAU, ERIE COUNTY SHERIFF'S DEPARTMENT, NEW YORK**

Sheriff AMICO. My full name is Michael A. Amico. I am the sheriff of Erie County in the State of New York.

Mr. GAUGHAN. Sheriff Amico, how long have you been in the law enforcement business?

Sheriff AMICO. For a period of slightly over 25 years.

Mr. GAUGHAN. Would you, for the record, tell us your background in law enforcement, Sheriff Amico?

Sheriff AMICO. Yes. I started some 25 years ago and worked my way through the ranks of the Buffalo Police Department as a patrolman, motorcycle police officer, and plainclothesman on all the various squads: The vice squad, the liquor squad, the gambling squad, the subversive squad against organized crime and I worked in the intelligence unit and I have had some approximately 15 years in the area of law enforcement of fighting narcotic drugs.



I have been 15 years with the narcotics unit of the city of Buffalo and for the last couple of years, of course, I have concentrated all my efforts in the investigations in the area of fighting narcotic drugs in the sheriff's department.

I have attended every available school in the area of narcotic drugs. I have been in Washington to the Federal schools connected with the Federal Bureau of Narcotics and I have been at the School of the Federal Bureau of Dangerous Drugs at the time.

I have talked extensively on this subject to the various schools in the area going as far West as California and as far South as Florida, so I would like to feel that my background is very thorough in this area of narcotics.

Of course, I was with the military and I am a retired lieutenant colonel. At the time I was involved in police work in the Air Force and I was commanding officer of an Air Police squad and provost marshal of our base section and many times our investigation took us in the area of narcotic drugs.

Mr. GAUGHAN. Thank you, Sheriff Amico. Now, Chief Tuttolomondo, would you please give your name and title for the record?

Chief TUTTOLOMONDO. Yes. My name is Joseph A. Tuttolomondo.

Mr. GAUGHAN. Would you spell that, please for the record?

Chief TUTTOLOMONDO. T-u-t-t-o-l-o-m-o-n-d-o.

Mr. GAUGHAN. Thank you.

Chief TUTTOLOMONDO. I am the chief of the Narcotics Bureau for the Erie County Sheriff's Department.

Mr. GAUGHAN. And, Chief, would you please for the record give us a little background on yourself in the field of law enforcement and particularly as it concerns narcotics and dangerous drugs.

Chief TUTTOLOMONDO. Yes, sir. I am into my 17th year in law enforcement. I started as a line officer doing patrol duty, walking a beat, as the expression goes, in a patrol car and did this for a period of approximately 5 years, at which time I went into undercover work in the area of narcotics, in the area of vice, gambling, liquor, subversion, and organized crime, and for a period of approximately 10 years I have done the previous assignments.

Mr. GAUGHAN. All right, thank you. Now, Sheriff Amico, if you would please read your statement.

Sheriff AMICO. Yes, sir.

It is indeed a privilege for me to be here today to discuss with you proposed legislation which would permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to law enforcement officials for analysis.

We, who are involved in combating drug abuse, are fortunate to have Representative Thaddeus Dulski and other concerned, seriousminded lawmakers here today, taking time to explore the issues and the problems resulting from drug abuse with an eye toward seeking possible remedies to these problems.

What I would like to present to you are my views with respect to the scope of the drug problem and the approaches toward workable solutions that are available to those of us involved in government and law enforcement. As Sheriff of Erie County and as former chief of the Buffalo Police Narcotic Bureau, I have devoted most of my adult life to fighting drug abuse, and I hope that my comments today are of some assistance in your determination of the matter at hand.



Let me begin by talking briefly about the problem. We are today faced with a problem of drug abuse or potential drug abuse in virtually every corner of our society. What was once a problem restricted to a distinctive subculture in a defined geographical area has spread to affect the affluent as well as the poor, the suburban dwellers as well as the residents of the ghetto, the students in our colleges, high schools, and, yes, gentlemen, even grade schools and workers in our factories and places of business.

During the past few years the indiscriminate use of drugs has mushroomed, particularly among the young. We have noted an alarming increase in the arrest of young persons for violating our dangerous drugs and narcotic laws.

It is also noteworthy that the types of drugs abused by our citizens have increased in number and complexity. This "new breed" of abusers deal not only in the old familiar heroin and cocaine, but now we find marihuana of varying grade and quality, amphetamine and barbiturate drugs of varying size, color, shape, and description, and mescaline or LSD in powder, capsule, or liquid form or even concealed as "spots" on sugar cubes, paper, or clothing.

All of these things can be found in Erie County and, I believe, in most metropolitan areas throughout the United States.

What are the trends? I am afraid we must anticipate increased abuse and increased experimentation with an ever-increasing variety of drugs. It is, therefore, imperative that we move and move quickly with every legitimate means at our disposal to counteract these trends.

In my opinion, there are two major avenues that we can and must take.

The first is unrelenting enforcing of strict narcotic and drug abuse laws. I am firmly convinced that we must maintain and increase our crackdown on the illegal drug traffic, thereby increasing the rate of conviction, fine, and imprisonment of those who would deal in illegal drugs.

The other avenue of approach is the dissemination of information, including opening the lines of communication between parents, abusers, and potential abusers and our law enforcement agencies.

We must attack the problem by using both of these means simultaneously. One without the other is not enough. It is the second approach that we are primarily concerned with here today, the dissemination of information.

It is precisely this goal that your proposed legislation will facilitate.

What, in effect, will mailing accomplish? Admittedly, we are looking for cooperation from parents and other concerned individuals. I think we must also admit that there is an implied threat of arrest or exposure should parents bring suspected illegal drugs to a police station or the sheriff's department.

I should point out here that, as sheriff, I have on many occasions urged concerned parents and others to come to talk with us if they have a problem or if they think they have a problem. I know that other law enforcement officers have done the same. We have assured parents that they should have no fear of arrest of themselves or their children if they find what they suspect are illegal drugs in their child's bedroom or clothes, and they come to us for analysis, or verification, or advice.

Some parents come. But I am sure that despite our encouragement and assurances, many, many persons who find suspected contraband still have a fear in confiding with the police.



What will mailing accomplish? It should effectively remove any apprehension by the parent or anyone else in at least taking that first step—that very important step—which is identifying the unknown substance which he suspects is a drug.

I realize that there may be some technical problems with the procedure, but I don't believe that they are insurmountable. What about the risk that a drug possessor to protect himself, may carry drugs in an envelope addressed to a police agency? What about the risk that someone may obtain drugs by tampering with the mail? What about the risk that drug abusers may employ the system to verify the fact that they have drugs?

Certainly these may be problems, but I believe most, if not all, such problems can be minimized by effective legislation and carefully thoughtout procedures.

Let me instead ask you this: What are the alternatives?

The individual can bring in the drugs personally, and this system is presently used in some jurisdictions, notably the city of Buffalo, with some measure of success. But much of the apprehension still exists with that method, and I wonder how many are afraid to participate in that type of venture.

The other alternative is to do nothing, and I don't think that is the answer. As I noted before, if we are to successfully fight drug abuse, we must employ every means at our disposal.

What will mailing accomplish? I alluded earlier to the increased diversity of drugs available and the difficulty in identifying them. Policemen involved daily in narcotic enforcement can no longer say with certainty that a substance they see is or is not a dangerous drug.

Accordingly, I know that some years ago when marihuana especially was not too popular and not used as it is today that whenever any of our agents or police officers had confiscated a sampling of these drugs, the police officers could almost immediately detect it was marihuana because it was there in its full context; it was all marihuana. Today many of the youngsters are mixing marihuana with other dilutants, for example, oregano and/or catnip or tea, so that when we first came across such a sampling, many times we would quickly say that that was not marihuana but that it was oregano or tea or some other substance, but we would then decide to submit it to the laboratory for some tests and we were very often surprised that it was found to be a mixture of marihuana and sometimes another one of the substances that I have mentioned.

To digress for just a moment, we know that many times youngsters experiment with maybe some suspected marihuana. They might have occasion to smoke it and then they will report to others "Well, I smoked marihuana and it didn't do a thing to me or for me." Many times the substance that they smoked might have had a small amount of marihuana content to it present but that probably 90 percent or more of it might have been one of those adulterants mixed with it and these particular mixtures gave the individual much less kick than he had originally contemplated.

How could he expect parents to identify such a substance without the availability of laboratory analysis? Mailing will readily provide that analysis.



Earlier I mentioned trends in the area of narcotic abuse. One trend I neglected to mention was an increased concern about drugs by many agencies and individuals, including government officials, private enterprise and, of course, parents. Let's take advantage of that trend and make it as easy as possible for concerned persons to get information and advice. After many years of experience in fighting drug abuse, I am most encouraged by this trend.

For the reasons I have mentioned here, I see the passage of this proposed legislation as a step in the right direction. Let us encourage all members of our society to participate in the fight against drugs. We need the aid of the parents of our children. We need to gain their confidence. We need to open and keep open the lines of communication between our citizens and our law enforcement agencies.

Gentlemen, I want to thank you for this opportunity to express my views on your proposed legislation. I certainly endorse this bill and I am hopeful that in the wisdom of Congress, it will become law, giving us yet another tool in our effort to control and defeat the drug menace, as we see and experience it today.

I have with me, of course, Chief Tuttolomondo and at this particular time, if your honorable body so decides, we will be happy to answer any questions you may have.

Congressman DULSKI. Thank you, Sheriff Amico, for your fine statement. Mr. Gaughan, you may proceed.

Mr. GAUGHAN. Sheriff Amico, before going into the specifics of our bill, I would like to pose a few generalized questions concerning illegal drugs and drug users in this area. In this way when we write our report, we will be better able to relay your reactions and conclusions to the proposed bill and hopefully give the full committee and Congress a more rounded view concerning our subcommittee's conclusions and recommendations.

Sheriff, I would like first of all to ask you whether in this area there is any organization or group that is normally called the pushers or the distributors? Is there any high organization or group that makes decisions and that imports these dangerous drugs and then makes distribution locally?

Sheriff AMICO. Well, in answer to that, may I at the outset state that it depends on the location, the specific locations throughout the country.

Mr. GAUGHAN. Specifically in western New York?

Sheriff AMICO. Surely. There is no doubt, to begin with, in New York City organized crime, as we call it, in the high echelon or the high hierarchy of crime completely controlling the smuggling or importation of this illegal contraband. However, when it is subsequently distributed throughout other areas of the State and country, then perhaps it gets into the hands of lesser individuals maybe not necessarily as organized as those people as we commonly refer to as members of organized crime.

However, I am also mindful of the fact that a definition of "organized crime" could very well mean two or three or more people that are engaged in a conspiracy to violate the law, and if we use that as a definition, I would say certainly there are many, many groups of people that are involved in the narcotics trafficking in this area. Might I go on further and say, of course, that we must make a distinction of the particular drug that we might be talking about.



At one time and maybe not too long ago the problem was actually in the ghetto area of any large community as was the case in the city of Buffalo and, specifically, I am specifically talking about the area, for example, of Jefferson Avenue and more specifically the intersections of Jefferson and Ferry and Utica, that particular area, and the drug of choice was heroin. However, we find today that there is no respecting of race, creed, religion, or social status in life and the drug problem has spread throughout the city and has invaded every corner of the city and spilled over into the suburban areas. You will find it in every area of the county and I dare say from the information that I have, in most all parts of western New York State, at least, and the drug is no longer confined to heroin alone. Now it is in other areas.

As I mentioned earlier, it is in marihuana, the so-called ups and downs, amphetamines, barbiturates, psychedelic drugs, mescaline, LSD, all the other variations and also the so-called speed, amphetamines, cocaine and right down the gamut of all the drugs imaginable; we certainly have them here in Buffalo and Erie County.

Now, again, I think our main problem in this area is that we have dozens and possibly hundreds in some instances of smalltime peddlers, more than one big organization that controls it in this big area, and when it comes to the soft drugs, you will find it mainly in the ghetto areas of Jefferson Avenue and the side streets in and around that particular neighborhood. When you talk about marihuana or the other so-called soft drugs, you might find it in the other sections of the city, on Allen Street and certainly up until recently, there was the tremendous problem in our large university in the city of Buffalo. Like all large universities throughout the country, we found in many instances that the university was the center distribution point for so-called soft drugs, marihuana, psychedelic drugs, and the like. Actually, what happens is that the student would go to New York City over the weekend and would purchase perhaps a quantity of drugs, maybe a pound or kilogram of marihuana or more or less for maybe \$200, again more or less, and come back here to Buffalo and parlay it into \$600 or \$700 for a pound or kilogram and multiply that by 10 and you can imagine the amount of profit involved.

In these setups there were small groups of people that were involved, small peddlers, so to speak, and in that respect we do have organized activity controlling some of it, some of the drug trafficking, but generally speaking, we don't have, and we are fortunate, I feel, in this area that we don't have real organized crime involved in drugs as we know it may be in New York City. It is not because I am saying it but certainly we are working very closely with the Federal Government agencies and the Federal Bureau of Narcotics and Dangerous Drugs and we are exchanging information, and this is certainly what they are telling me. So we do have our organized groups and smaller setups.

Mr. GAUGHAN. But there is no interrelationship between these groups; they are not knowledgeable of each other and there is no cohesion between the groups?

Sheriff AMICO. In most cases there is not. Currently that is the situation. It might change tomorrow or a week from now. We never know.

Mr. GAUGHAN. You mentioned that the University of Buffalo tends to be a center of distribution, that there are students there who come



from the New York City area who go home on weekends and pick up drugs and bring them back here and sell them. When you are able to pick up these people, I am sure you probably inquire of them where they got the drugs. Do you pass this information on back to the New York City police?

Sheriff AMICO. Yes, we do. However, we find that New York City, they have problems of their own and they have so much information of their own that we do not know really if that information is followed. In many instances we do give it to the Federal Bureau of Narcotics especially when we find that there is trafficking in a particular drug. That is right, sir, we do forward that information.

Mr. GAUGHAN. During our discussion recently I recall your saying or talking about a young girl, as I recall it, about 13 or 14 years of age whom you picked up with 42,000 capsules of amphetamines. How would a girl of that age come into possession of that amount of drugs?

Sheriff AMICO. One major distinction here, that young lady was in possession of some \$3,000 worth of drugs, about 3,000 units. That 42,000 was another gentleman about 21 years of age here just about 2 weeks ago that we had arrested. The incident concerning this 13-year-old girl was that she had publicly or outwardly sold \$3,000 worth of drugs to one of our undercover agents and, of course, in this instance she was associated with others who are encouraging the distribution of narcotic drugs; she wasn't doing it solely.

We did find through our investigative efforts and techniques by the questioning of the young lady where she got it from and we did make one further arrest. We also moved a step further than this individual in the investigation and because of the technicality of the law, we have not been fortunate enough to reach the top figure at this time in this area. Even though he is not that big, he is probably in stature the equivalent to the other one we arrested.

Now, another incident was the one you talked about where there was 42,000 units that this individual had upon arrest and conceivably on the illicit market this goes about for a dollar a bag or unit and the illicit value was \$42,000, so you see, in effect, this is big business. Even though it is indulged in by so-called maybe younger people, conservatively speaking, non-criminal-appearing individuals, this 42,000 units was destined, according to the information we gathered, for the high school individuals or perhaps it is the type of people he was peddling to, but he was in turn making this available to small-time peddlers who in turn would sell them to his associates who were members of various high schools throughout the city of Buffalo.

So this was a pretty substantial arrest and we felt that we made a substantial inroad here in the presence of this amount of drugs.

Here again, I might say with some relevance that had we not made this arrest, had part of this 42,000 units of drugs subsequently found itself to smalltime peddlers and ultimately to consumers or users, that if a young boy or a young girl may have had this in their home and the parents perhaps would come across it because of perhaps seeing it in the child's, the boy or girl's clothes, or in the dresser, et cetera, that parent may have been precluded from going further for fear of apprehension, not knowing what to do. It is just exactly this law that this honorable body is proposing which would induce or encourage a parent who had the opportunity to see a suspected contraband. They



will not have to resort to calling a police agency but there will be a provision to send it to them so that in this way they can get an idea if it is suspected contraband or not, but they suspect it, and in some cases it has been of a tremendous help to parents. What a tremendous relief it might be to parents where they see what appears to be drugs, and parents see plenty today on the subject of drugs, that is, you can't scarcely pick up a newspaper where you are not reading about some narcotic incident one way or the other or a mugging or you will listen and see it on television and radio, and some parents become alarmed and sometimes they may become overly alarmed and perhaps might even overly react and accuse the son or daughter when actually they did not involve themselves in narcotic drugs.

What a tremendous relief it would be to parents if they were entertaining such thought that their son or daughter was fooling around with drugs or maybe an associate or friend of their son or daughter came into the house and the parent happened to see a pill on this individual and, therefore, the parent might ultimately think that the associate of their son or daughter might be involved in drugs, and now what we will have is that this particular proposed law will provide that the parents might submit that suspected contraband to a police agency for analysis and find out perhaps that it wasn't a drug at all, and that maybe it was just an aspirin or one of the many less serious medical prescriptions that we have.

Mr. GAUGHAN. Sheriff Amico, there has been some criticism of yourself and your department by people in the area that you make a number of arrests of young people, just the users, and that most of the substances that you obtain are just small penny ante amounts.

Would you comment on that?

Sheriff AMICO. This certainly is not so. Those that want to criticize and in some cases they appear to be many, always pick and distort the facts and pick on things and take them out of context. The records in our files will show the vast amount of drugs that we have confiscated on the illicit market. Certainly the drugs we have thus far confiscated might very well add up to the sum of some half-million dollars in the two years that we have been operating the sheriff's department. I feel that these are unfounded criticisms.

However, there are times when we do receive complaints that we must act and we should and we will act. If a parent is complaining about what they deem is a suspected distribution center next door to where they live and they give us the necessary information, then we are certainly compelled to make an investigation. When we do act, we find out that there is, for example, a pot party or an LSD party and any of the other even soft drugs, we move in and apprehend hopefully the major violator in that investigation, and then this serves as a very favorable tool, to try to reach the pusher or the peddler. The suspected user of drugs will cooperate with us in more cases than not and he shows his source or sources. When we move up one step further and then get the smalltime peddler, then we in turn attempt to do everything to win his confidence and then again try to ascertain his source of supply and then in so doing, of course, we get to the biggest peddler in the community. We must start on those for a starting point and I feel that we have been very successful in this respect.



Our records, again, disclose that we have made hundreds upon hundreds of arrests for the sale of narcotic drugs, both heroin and so-called soft drugs, LSD, marihuana and so-called ups and downs.

Mr. GAUGHAN. How many arrests would you estimate you made on narcotics in the past year?

Sheriff AMICO. Well, my records will disclose that in the last 2 years since we have been in the sheriff's department, we have made over 1,500 arrests in both areas of selling and possession of narcotic drugs, so it has been a very substantial amount. I might state at this time a comparison of the problem as to the persons that are involved in narcotic drugs. Some 8 or 9 years ago our records, when I was with the Buffalo Police Department, showed that there were some 200-odd known registered addicts in this community.

The Federal Government has a system whereby any time an arrest is made or a heroin or cocaine or opium-type addict comes to our attention, then we fill out one of these forms and forward it to the Federal Agency, who in turn forwards it to the Federal Government in New York and Washington so that some active records are available. It does not mean to say, however, that the 200 represent just those many addicts in the community. At least two and sometimes a ratio of 3-to-1 are more than likely the actual number of addicts in the community.

Some 8 or 9 years ago we had 200 known registered addicts and by comparison today, I took pains to check our files and the Federal Bureau of Narcotic files locally and we found that we have over 1,300 known so-called hard-core addicts. I am not talking about the marihuana user or those who involve themselves experimenting with such drugs as marihuana but I am talking about the hard-core addicts. If we know of 1,300 there are perhaps 3,000 or 4,000 addicts in our community using heroin drugs.

I am not saying anything about the thousands upon thousands upon thousands of other youngsters and adults, for that matter, that are concerned daily and daily using these other drugs, so the problem is becoming more and more serious daily, so to speak.

Mr. GAUGHAN. Then heroin is a big problem in Erie County?

Sheriff AMICO. Yes. I might qualify that by saying that I do not want you to leave today this building and return to Washington and say that Buffalo has a more alarming drug problem than any other city of its size. We have certainly the same category of large metropolitan cities located in the large metropolitan community and, especially, a community as Buffalo which is located here adjacent to Canada, so what I am saying here is that our problem certainly is a serious one, but certainly no more serious than any other large metropolitan area of the Nation.

Mr. GAUGHAN. For the purpose of the subcommittee and some of the folks present here this morning, will you tell us a little more about heroin. Heroin certainly is a hard-core drug. What are the symptoms of a heroin user? What are the reactions of a person who is using heroin? What is the ultimate end of a person who uses heroin?

Sheriff AMICO. Well heroin users certainly are very easily identifiable. A heroin user at the outset starts snorting or sniffing it even before he injects it or shoots it. He might sniff it or snort it in his nostril. At the outset the first thought of the hypodermic needle might cause some reluctance for him to participate but being associated with the



early user in the early stages, they will give them a bit of it and put it on the hand, either the palm of the hand or the wrist, and cause them to inhale it or sniff it. After they have done that a few times, after they get the so-called effect of a feeling of false well-being, then they desire the drug to reach the bloodstream more instantly than they do by sniffing it and they start by injecting it. They use an eye dropper and a hypodermic needle and invariable they use this particular instrument which they call a "fit" coming from the word "outfit." They get their heroin bag. A heroin bag is a small bag with usually a glassine envelope. Here a few years ago it came in capsule form, even a smaller content that they used, but in the Buffalo area as well as New York City and throughout New York State and other States in the Nation, they use a so-called glassine bag. There is only enough for one shot or one injection.

What they do with this particular bag, they open up that bag of powder and put it into a spoon and sometimes instead of a spoon, if they are somewhat ambulatory, they use a cork, a bottle cork and they put it in the spoon and the cork and they put a little water into the spoon and subsequently heat the spoon and heat the solution of powder, after which time they draw it into the eye dropper and start, as they say, hitting or injecting themselves. At the outset they might do what they refer to as "skin popping." They hit the muscle part of the arm or the wrist or the bend of the elbow. This takes a little while to find its way into the main bloodstream, so after a few days or a week or two of this, then they become main liners and they start injecting into the veins, the main veins of the body, especially the arm. Many times when they can't locate the veins they will get either a necktie or a silk stocking or possibly a little rubber hose and put one end in their mouths and make a tourniquet with the other end and then hold it and tuck it into their arm, cutting the circulation of the blood, which causes a vein to pop to the foreskin, so you see that the addict will easily locate the vein, after which time they inject immediately into the vein and they get the so-called immediate relief that they seek. They use the whole bag and nothing is left to it. It is mostly a glassine wrapping, they use the little that is in the bag, and the price of a bag today is some \$10.

Mr. GAUGHAN. How much, Sheriff Amico, does an addict need today to support a heroin habit?

Sheriff AMICO. We feel through our investigation that the addict uses on an average of four to five a day.

Mr. GAUGHAN. Four to five packets?

Sheriff AMICO. Yes.

Mr. GAUGHAN. And how much is a pack?

Sheriff AMICO. \$10 a pack. Here the other day we arrested a female addict who was a prostitute. She admitted using \$200 worth a day and she claims she would use more if she had the money, and on occasion when she was fortunate enough to have more than \$200, she would use that and use whatever she had. She has used up to \$500 or \$600 worth of heroin on a given day.

Mr. GAUGHAN. So an addict will need anywhere from \$50 up to \$200 a day?

Sheriff AMICO. Yes.

Mr. GAUGHAN. How usually does an average addict accumulate that amount of money?



Sheriff AMICO. Well, at the outset, when they first start out, of course, if they have any money, they will spend it and buy the drugs. If they had any savings, it doesn't take long for them to use up all their savings, after which time they will beg and borrow from their family and from their friends and anyone else imaginable.

After not too long a period of time, however, these sources just tighten up on them and they have to invariably go the route of all the others and that is to resort to a life of crime.

In most cases, of course, they commit larceny, larcenies of the stores around town, and they commit burglaries in our homes and places of business. They commit assaults on other people and snatch purses and rob different people and citizens of the community. Many times they steal and forge checks and, of course, perhaps naturally to say, the female addict invariably resorts to a lifetime of prostitution and this is where they certainly would derive their means.

There is certainly an interesting point that maybe I should make here and that is that a great majority of them, of course, involve themselves in these larcenies, they steal anything in sight or available, and what is important is that an addict that has, say, for example, a \$50-a-day habit and we think of it solely as \$50 and if he is committing crime, sometimes we may contend that it is only \$50 worth of merchandise he might steal, but that is not so. In order to realize \$50 in cash from which to purchase the drug he needs, he must by necessity steal merchandise to the value of \$300 or more on the average.

Now, this is what goes on. He goes to sell the merchandise and he has to sell it to people in a hurry and he early finds out that there is in the neighborhood so-called fences who will purchase or buy stolen goods or stolen property and these fences know the need that these addicts have for the quick kick, so they give them about 15 cents on the dollar and, accordingly, the average addict would have to steal merchandise of the value easily of \$300 or more a day. If that addict was permitted to go free in the community, if he were not arrested or apprehended or institutionalized in one way or another, you can easily see by simple multiplication that if there are 365 days in the year, because these people have no holidays and they are addicts every day of the year, that one addict can conceivably steal merchandise to the value of \$100,000 in a given year.

So we have some 1,300 addicts. I am not saying that all 1,300 of them resort to stealing alone. Some finance their habit by peddling and maybe some other areas or avenue of crime but we can easily see that some 200 addicts could be free in the community stealing daily \$300 or more or \$100,000 worth of merchandise a year, so you can see what a tremendous problem the community is faced with.

Records show and various people who are experienced law enforcement officials in the narcotics enforcement might constantly make different statements and remarks about crime related to drug trafficking. It is safe to say that crime in the area of larcenies and burglaries and assaults and check forgeries and prostitution could be minimized or diminished anywhere from 50 to 75 percent in a given community if we were fortunate enough to somehow curb narcotic activity in a given community. So, you see, it affects every one of us.

Many people have the attitude, "Well, my sons or daughters aren't addicts, so I am not really concerned with the problem." or "My son



or daughter is grown and I know they are not going to take heroin or other drugs." It might affect them in a different way. It might be their place of business. It might be in the burglarizing of their own home. It might be this gentleman standing on the corner waiting for a bus or waiting for a taxi or you might have an addict come up and steal a purse and there might subsequently be a serious assault of your son or daughter, so it does affect each and every member of the community one way or the other and there certainly should be something that each and every one of us should be able to do about it with the help of this honorable body.

Mr. GAUGHAN. I just quickly added up some of your figures here. You mentioned that there are somewhere around 1,300 or 1,500 known addicts in the area and you felt the ratio to unknown addicts was about 1-to-3. That brings us up to approximately 4,500 addicts. At the tune of \$50 a day, my figures tell me that in the Buffalo area, in the area of Erie County or western New York, they have a need of \$225,000 a day for the support of this habit. Consequently, if we say only half of those people are able to provide themselves with \$50 a day, and I think that is a rather conservative figure, we come up to about \$675,000 a day that has to be stolen or in some larcenous or felonious manner taken from other people, so obviously that is a great problem.

Now, I just want to ask you this question: Do I understand that you said that if the addicts could be taken off the street, 50 to 75 percent of the crime would be taken away from this community. In short, do I understand you to say that 50 to 75 percent of all the crime committed in this community relates in one fashion or another to narcotics or dangerous drugs?

Sheriff AMICO. That is true. As we see it today, it certainly is a proper statement to make. I didn't make that statement simply without any forethought or foundation. This is after daily discussion with just about anyone in the area that has investigated or that has been involved in law enforcement, to include the State and Federal Narcotic Agencies that totally agree with me.

Mr. GAUGHAN. Chief Tuttolomondo, I notice you have with you various instruments and paraphernalia. I wonder if for the benefit of the committee, if you would tell us what they are.

Chief TUTTOLOMONDO. Yes, sir. These are of one fashion or another water cooling pipes and I use the expression "water cooling" because this is in the basic and specific design when they are manufactured commercially but when they are manufactured commercially or however, they do use various types of cooling liquids. In the first instance the substance is put into the bowl. In this case this would be the bowl [indicating] and this would be the bowl [indicating]. Here we see a very popular wine bottle [indicating]. This is the bowl in this particular instrument [indicating]. This is the bowl here [indicating]. Now, here is another instrument and this is the bowl [indicating].

Now, the substance, the liquid substance is placed into the bell, so to speak, of the pipe and the drawing device in this particular case is commercially built and of a very nice substance, probably a plastic wood or some other hard substance.

Mr. GAUGHAN. For the benefit of the people sitting in the back, I wonder if you would take the wine bottle and use that as one instrument to demonstrate, and would you mind standing up?



Chief TUTTOLOMONDO. Yes.

Mr. GAUGHAN. Would you describe the use of this wine bottle?

Chief TUTTOLOMONDO. This would be the cooling agent [indicating]. As I stated, it is designed specifically and commercially and water is used but oftentimes when a container such as this is used, they use wine or perhaps water with whisky or some other alcohol or intoxicant. When the marihuana or hashish is placed into the bowl and is drawn from the mouthpiece, the pipe will go into the water or, excuse me, the smoke from the marihuana or hashish will go into the water and is cooled and then the bubbles will rise and will be drawn. I don't know if you can notice this but the mouthpiece extends only to this area and then we have this area of space [indicating]. The pipe or extension of the bowl goes and it is submerged into the water. It is about an inch from the bottom so that when one draws or creates a vacuum and the smoke will come up and be drawn into the mouth.

Marihuana and hashish burn to a very high degree. I am not certain what it is but it is extremely high. I worked as an undercover agent for a period of 7 months and I grew a beard and dressed as do the drug culture and I went into the drug area and lived with the people and the various things I learned in the Federal schools became a reality to me. I noticed when people smoke marihuana or hashish that their throats were very parched and they wanted something to drink, probably water or wine or anything at all that would cool the throat from the heat of the marihuana or hashish, and this, the design here is specifically to try to cool the smoke as it goes into the mouth, the throat, and the lungs.

Now, we have various devices here. This is a very bazaar type right here [indicating]. This is a mask that probably would be used. It is called a dust mask or paint mask. It has a filter on the inside. They attach it to the face and the strap goes around the back of the head and hashish or marihuana is placed in the bowl and they smoke through this [indicating]. There is a solution within this [indicating]. This is a teapot, a very miniature teapot [indicating] and the solution is within here and they draw into it, and here is a combination sort of thing where you can smoke both sides with your favorite friends [indicating]. When it is drawn in, there is no necessity to hold the pipe in the mouth. They just take and wrap it around the head and lie down if they want to inhale the marihuana smoke.

This is another type of mask right here [indicating]. This type of mask, I believe, is found on portable oxygen bottles which are used in inhalation therapy in the hospitals by putting it over the face of the patient, this again being the water cooling bottle, so to speak, and this is the pot where the marihuana or hashish is placed [indicating].

Incidentally, just as a point of comment, this was as white as this at one time [indicating]. Imagine the oxygen and the stains that would go out in the lungs and in the throat if this can do this to plastic [indicating].

Mr. GAUGHAN. Chief, thank you very much. That is fine.

Sheriff AMICO. Maybe one point that is relevant at this particular time is that this honorable body might ask what relationship has all this got with the mailing of drugs. It is obvious that some of these are so large that it is hard to do any mailing. We don't try to convey the impression that anyone is expected to mail these pieces of equip-



ment. The point I would like to make here is this, that many times if a parent might see some of the pipes of this nature around, in and of itself it does not necessarily mean that they are smoking marihuana but you could very well conclude that the risk is great that they are.

However, what does a parent do at this particular time? After, hopefully that this law would be a reality, we would have to follow it through and we would, for example, find that obviously there are residues from these containers of whatever ingredient was smoked and in all cases those residues when we scrape them out and submit them to our laboratory technicians, they can perform the analysis and test and come up with a reading of whether there was some narcotic contraband present. So the point I am making is that the sight alone of these large pipes and bazaar pipes weren't meant that they be wrapped up into an envelope or package.

Mr. GAUGHAN. What you are suggesting, as I understand it, Sheriff, is that if a parent would see one of these unusual pipes around the house and would become suspicious, he could take a scraping out of it and put it in the envelope and mail it to the proper authority and get a report?

Sheriff AMICO. Yes.

Mr. GAUGHAN. One other question I would like to ask is this: There is a great controversy about the legalization of marihuana. What is your position on that?

Sheriff AMICO. My position is very well known in this community. I am violently against and very adamantly against the legalization of marihuana in any form or fashion. I certainly feel, and all of us who are in law enforcement feel that maybe we should take a continuing look, not a second look, and hopefully that the penalty conforms with perhaps the seriousness of the crime, but maybe I am talking out of turn, but of the many hundreds of high school and college students who have arrested in this community on both the possession and selling of narcotic drugs, we have found after conviction that not one of them have actually been sentenced to jail for even one day, so I can't see any more minimizing of the law than it is today. If we minimize it at all, it is naturally going to be tantamount to legalization and I am certainly against it.

For the record, I would like to make a statement here and maybe this honorable body or a member of this committee could check it out. There are a lot of drugs in the community or in this country and in the world that are more serious even than marihuana; for example, heroin we all know is a very devastating drug and very addictive drug. In many cases if you are addicted to heroin, it is the point of no return and you are addicted for life.

Heroin is used in some areas or some countries throughout the world for medicinal purposes; it has some beneficial medicinal qualities perhaps attached to it and it is used in some parts of the world for those purposes. However, as a result of my studies and the information I have gathered on this, I know of no country in the world where marihuana is legal for personal use; I know of no country. I think some countries permit its growth like in Pakistan and Afghanistan supposedly under the guise that they permit this growth to make some by-product or things of that nature but up in those countries they are very



seriously concerned that the person will not smoke it or will not personally use or abuse it in any respect. What I am saying is that in the wisdom of the legislators in every country in the world, they have dictated and said that marihuana is and can be very dangerous and it is an unpredictable drug and that certainly we should go along with this. It isn't that one might say that he lives in the United States and marihuana is legal in Canada or legal in Mexico or England or anywhere else, but we say no, that it is the only drug that I know of that is not legal in every country of the world. The point I am making is, let's take a pessimistic attitude or cop out because of this great frustration because we are not making any inroads, and we legalize it, but I am very hopeful and I commend this honorable body for being here and hope you intend to explore this area in trying to curb its use rather than to legalize it.

Mr. GAUGHAN. Sheriff Amico, thank you very much. We appreciate your taking your time to be here with us this morning. Mr. Chairman, that is the end of my questioning.

Congressman DULSKI. Sheriff Amico, I want to commend you on the testimony you presented. I have only a very simple question that I would like to ask. Most of the complaints that I have received from enforcement officials throughout the country relate to lack of equipment and costs.

First of all, are they equipped to carry out this work? Is your office equipped for this work? Would there be a great cost involved? Would it be necessary for the Federal Government to provide funds?

Sheriff AMICO. Yes, sir; Congressman, I am glad you brought that point up. Money is a very serious concern on all local communities and I am aware of what I have been told by the Federal agencies here that the Federal Government is certainly concerned and cognizant of the problem to the point where they are going to make available moneys to purchase the equipment that is necessary for surveillance for this analysis, testing and what have you. Although the actual test in and of itself is not a very expensive procedure other than maybe personnel that might be involved, additional personnel, if we are suddenly swamped by hundreds or thousands possibly of samples, this is an area where I feel that we can't be pennywise and dollar foolish and that we certainly should take advantage of any moneys that might be available to us and I am hopeful that with the interest the Federal Government has displayed that certainly money will be made available to us to keep us abreast and current with the latest investigative tools and equipment.

A point I might further bring out here is that I was thinking that maybe some criticism of the possible legislation might be now that you have mentioned a point here about the equipment, that it might be out somewhere in an area where maybe narcotic activities are at an absolute minimum and maybe the local police have never had occasion to investigate narcotics because it is probably out in the open spaces somewhere where the population has been minimal. Then if you pass this law, what will these people do and where will they send the suspected contraband? In answer I might say that it is more important that this law be enacted to accommodate areas of that type so that if a parent suspects some narcotics contraband and if they want to know more about it, they could in turn send it to the captain of the State police who



might have a laboratory. In the absence of those points where they do not have a State police or a laboratory to effectively make an analysis, then it can be sent to the Federal Government, to any of their offices or Federal agents that are represented throughout the country and then, moreover, it could be more expedient in that respect that a person that suspected that they have a quantity of suspected contraband, if he talked with local police and found out that they do not know anything about it because in that particular area, wherever it might be, they are not involved in narcotic drugs, they can send it all the way to Washington to get it analyzed.

Incidentally, I have a little piece of hashish. Hashish is a very small looking object. This in and of itself could sell for some \$10 [indicating]. It is a concentrate of the marihuana plant and it is gotten from the substance of the flower top of the plant itself.

The point I am trying to make is that it could be so small that because of this legislation, it might waken the parents up and to show some interest and if they suspect that some material is contraband, no matter how small and no matter how odd looking it may be, it certainly needs attention and it certainly takes only a few minutes to put it in an envelope and properly addressed to a bona fide law enforcement agency for their analysis and determination.

Chief TUTTOLOMONDO. If I may add at this point, when you speak of LSD, LSD is an odorless, colorless, and tasteless drug and it takes on the properties of whatever it is impregnated on, for instance, the lapel of a jacket, or take a common aspirin, something that you will be able to buy in a drugstore for 25 or 38 cents, for a little package of those, and that could have LSD impregnated on them and if a mother or a parent has a child acting irrationally or certainly not acting as they are normally acting or like the child would normally act, all they can do is take this aspirin, this aspirin that looks like it could be a Bayer aspirin, Bufferin or anything, it could be impregnated with 190 micrograms or 500 micrograms of LSD which could send a person on a trip of no return.

Congressman DULSKI. Another important question is this: There is another objection by the law enforcement agencies that we are going to act as the agent for pushers. I can't give much weight to this argument since I don't believe the quality of a substance mailed under this bill would be the subject of the analysis. What is your opinion?

Mr. GAUGHAN. Could we hold the answer down because we are going to have a time problem?

Sheriff AMICO. Absolutely, we are not going to accommodate any pushers or smalltime peddler that supposedly would send in a drug and say "How potent is this mixture of heroin we have?" Our answer to him would be, "This is heroin and it is illegal, and you have a problem on your hands." We would never give him, as we say, a quantitative analysis indicating the quantity of suspected contraband in that unit or substance that is submitted. Accordingly, or along the same thinking that the drug sampling should be mailed in in a packet of suspected material, it is a sampling that hopefully we will qualify once the law hopefully is enacted and the procedure that is followed, that the sampling of the suspected drug will be mailed to a police headquarters or bona fide Government agency.

Congressman ROUSSELOT. Thank you very much for your very candid answers and very detailed answers, Sheriff Amico. I have quite a



few questions which I will submit to you in writing and would appreciate if you could answer them in writing because we do have a time factor here. Let me just quickly state that in your own presentation you do bring up questions that are important to us in the consideration of Chairman Dulski's legislation. You have raised the questions yourself and I think you partially answered them in your statement but I think frankly we will need from you more complete answers because those who oppose this legislation, and there are some law enforcement agencies who do, ask the very questions you have raised. One, what is the risk that a drug pusher, in order to protect himself, may carry drugs in an envelope addressed to a police agency, even with stamps on it and then when he is picked up, he says, "I was about ready to drop this in the mail box." How do we overcome that problem?

Second, last year the Post Office Department reports to us that they had about 1,000 convictions because of the carriage of narcotics and dangerous drugs through the mail—that is convictions and not arrests—and that about 1,360 convictions of postal employees were secured because of theft of the mails. Now the profit appears to be so great that the clerks and others who are able to begin to determine what is being sent through the mails actually steal this type of mail in order to resell or use it themselves. Evidently they become pretty adept at this. How do we prohibit that problem from becoming a larger one if we increase the flow of this type of mail and encourage the mail to be used as a transporting vehicle to carry drugs back and forth? That is another major concern to many law enforcement agencies and the Post Office and I might ask how do we overcome that problem? What is your suggestion on that as one who is charged with the responsibility of prohibiting that?

Third, and you can answer that question in writing because I know this will take a more detailed analysis on your part. What about the risk that the drug abuser may employ the system to verify the fact that the drugs that are actually being sold to him are so-called quality drugs; that is, heavy narcotics? How do we stop the users, the pushers, and sellers from using the system to qualify their own drugs? In other words, how do we insure that the mails are not used to help them? How do we prohibit that?

Another question is, and I was very pleased to see your statement lay heavy emphasis on "future prevention." That is, getting the parents and others more involved, reducing the feeling with the parent that they are just "ratting," hoping to educate parents that it is a more dangerous course to allow young people to become involved in marihuana and then watch them progress to the other harder narcotics. How do we begin to get parents and relatives to be involved in talking to law enforcement agencies and feeling that these offices are not going to grab everybody by the collar because they come to talk to you? How do we overcome this problem in the field of drug abuse? Additionally, what can the Federal Government do to educate parents that when they do suspect this is beginning to happen in their own immediate family, that they take definitive action and bring the authorities into the case? Is this a major problem? Could you answer these questions in writing?

Sheriff AMICO. Absolutely, Congressman; I will. We didn't just go into this overnight. We have been debating and arguing with one an-



other. We have researched it and, just to touch upon the area briefly, we are cognizant of where these are problems that do and will exist. Could I say, for example, very quickly and superficially to you that one area that comes in mind is that I am aware of many arrests made by users of the mail because my men have been on many of the arrests with the postal authorities and the Federal law enforcement agencies if we find those arrests to be for large quantities of suspected drugs.

Congressman ROUSSELOT. I realize that the answers to these questions must be more detailed because we do have other witnesses and I don't want to force you into detailed discussion.

I have one more question. It has been charged, and this has happened very definitely in California, that because the Federal Government has been so active in providing Federal funds for legal defense, and it has been very active in this field and actually in many cases is financing the defense, and we certainly want to defend anybody that needs adequate defending, but because we have provided and have been so free with Federal funds for legal aid of defense cases, we have actually thwarted law enforcement. In the pusher area, those who are smart enough and show a great affinity to use various kinds of legal aid now provided by the Federal Government to defend them, and we want everybody to be properly defended under the Constitution and I am not suggesting in any way that we should not provide defense, but we have actually increased the financing of the defense of people that we are charged with the responsibility of taking to court to prosecute, and they remain free for long periods of time because they are aided by very capable and able lawyers who with their great skill try to make a case for them. Would you comment in writing on that as to what degree of Federal funding has actually contributed to the thwarting of your efforts to prosecute in this field?

Sheriff AMICO. Yes, sir. You are right in line and I know exactly what you are talking about. You must have some idea of the frustration and everyday problems that we encounter and I will be happy to make that available in a detailed fashion.

Congressman ROUSSELOT. I know that my own sheriff has mentioned that several times to me in Los Angeles and he is a very able sheriff, and if you could comment on that in writing, it will be helpful to us because here we have provided all the Federal laws to try to help you to do your job and then we turn around and also finance the ability to throw all these obstacles in your way. I am not talking about the constitutional rights of these individuals, but are we doing things to thwart your efforts in this field?

Sheriff AMICO. I am happy to see that you are cognizant and are concerned with the rights of society as well as the suspected criminal and I will certainly have for you a very detailed answer and explanation of the things that we have covered and specifically the points that we are talking about sir.

Congressman ROUSSELOT. Mr. Chairman, if I could also have your consent to submit other questions, I would appreciate it.

Congressman DULSKI. I have no objection. In fact, I believe the answer to these questions will be most helpful in our deliberations. I have no further questions. Does counsel have any other questions?

Mr. GAUGHAN. That is all, Mr. Chairman.

Congressman DULSKI. Thank you very much, Sheriff Amico.



The next witness will be the Honorable Michael F. Dillon, the district attorney of Erie County. Mike, we are happy to see you.

I extend a warm welcome to you this morning to our hearing. I know that the gentleman at the table now needs no further introduction but for the benefit of my colleague from California, Mr. Rousselot, Mr. Dillon has served for many years as the district attorney of Erie County, the second largest county in New York State. I would add that Mr. Dillon has performed his duties in a most distinguished fashion, and beyond that, in the history of our county for the last 100 years the last 10 years or so have been the most difficult insofar as law enforcement is concerned. He has been right in the middle of the storm. I know that what he has to say here this morning is going to add a lot to our hearing.

**STATEMENT OF HON. MICHAEL F. DILLON, DISTRICT ATTORNEY,  
COUNTY OF ERIE, N.Y.**

Mr. DILLON. Thank you very much. Chairman Dulski, Congressman Rousselot, other distinguished gentlemen, I am Michael F. Dillon, district attorney of the county of Erie. I have here with me today the chief of the appeals bureau of the Erie County District Attorney's Office, Mr. Peter Notaro who, for over 3 years prior to his promotion to the position of chief of our appeals bureau, served as the senior assistant district attorney in charge of narcotics investigation and prosecution in the district attorney's office.

Gentlemen, I am here today primarily to testify with respect to the merits of Chairman Dulski's bill which I support and, Congressman Rousselot, I would be pleased, sir, since I am very much involved in those last four questions that you put to Sheriff Amico, I would be pleased to respond to those during the course of these hearings if you so desire and if you see fit.

Congressman DULSKI. It would be very helpful, if you would.

Mr. DILLON. I support the bill for reasons that extend far beyond the concept of Chairman Dulski's bill, for reasons of grave concern that I have and have had now these last 9 years in the District Attorney's office. About the battle or war, and I think we are viewing it as a battle when we should be viewing it as a war, against the illicit flow of narcotic traffic not only in Buffalo and Erie County, but in every important metropolitan community in the United States of America, quite frankly, gentlemen, we are losing that fight. In the 9 years that I have been in the District Attorney's office, the number of known narcotic addicts in Buffalo and Erie County has multiplied at least three times over, and as to the unknown number of narcotic addicts, I can't possibly conceive what the multiplication table might show in that regard, but in the administration of criminal justice in this country, we are seeing everyday to our surprise new known narcotic addicts.

Even at the time that I began to serve in criminal prosecution there was no secret that the major incidence of narcotic addiction in this and any other community was in the ghetto area but that is no longer true. Narcotic addiction and narcotics and experimentation with barbiturates, amphetamines, pills, and drugs of all sorts, marihuana, hashish, has extended far beyond the borders of the ghetto and I suppose in one minor sense, and please don't misunderstand this comment, it is



a good thing, because it has alerted the community to the existence of the problem that we should have been paying attention to many years ago in our ghetto communities.

In the administration of justice here in this community we have had probably the most aggressive narcotics law enforcement of any community in the country. You have just heard our Sheriff who is a tremendous person in the investigation and who has been associated with the prosecution of narcotics. Commissioner Felicetta has long been interested in this problem and has long worked aggressively in the field and, yet, despite this kind of effort, each day we find ourselves slowly moving further and further away from victory and we find more and more people, particularly young people, becoming involved with the drug culture and then becoming addicted to narcotic drugs and at that point in my opinion they are no longer human beings; unfortunately and regretfully, they are vegetables.

We have done many things and the Federal Government, Congressman Rousselot, and the State government and municipal governments have provided substantial wherewithal in law enforcement to fight narcotics and in administering criminal justice in that field. Yet, despite this aggressive effort, we are losing. Conditions are getting worse every day. So maybe now it is time for us to reevaluate what we have been doing in law enforcement, and the investigation and prosecution of narcotics drug violations.

If we take a pusher and put him in jail, there are 10 people waiting to take his place. If we take a major supplier of narcotic drugs in the Buffalo, Erie County and western New York area and put him in jail, there are 20 or 30 in line to take his place. And then after people have become addicted here in the State of New York, we have spent many millions of dollars in narcotics rehabilitation, probably the most single pointed waste of millions of dollars by any governmental agency in any field of governmental endeavor in the history of man. The narcotics rehabilitation program of the State of New York is a dismal failure, with little hope of future success. Oh, I don't necessarily advocate because of that the complete elimination of it.

I certainly do not advocate the cessation of efforts toward the rehabilitation of narcotic addicts, but the only reason I do not advocate the cessation of those efforts is because in the efforts there is hope and maybe some new approach will develop as a result of those efforts that will give us greater hope for the future and for the restoration of young people particularly, back into the everyday framework of human endeavor and disassociate themselves from this sinister and devastating hell with which they have become associated.

So we are losing the war in terms of strong law enforcement. Please do not assume that I advocate either the cessation of that battle we are engaged in on the street because I certainly do not. We have responsibilities, those of us who take an oath of office, to investigate crime, to make arrests, to prosecute crime vigorously and fairly and I believe in that. We are going to keep up the effort, but we say that we are losing the battle because we see people who have served 14 or 15 months in a rehabilitation center making an appointment to meet their pushers so that they can shoot up even before they are released from the center. We had indications given to us that there is an illegitimate flow of narcotics right within the buildings of narcotics re-



habilitation centers. We have seen outpatient narcotic addicts who are released for a day or two at a time, who are out shooting up, and then return to the narcotics rehabilitation center.

We have had experiences in our own county everyday where narcotic addicts with no desire to rehabilitate want to be sentenced to the program because the time is easier served in the narcotics rehabilitation center than it is down at Attica. And so coupled with the loss of the battle, we also see the loss and the great cost and the great waste and the great frustration associated with a so-called narcotics rehabilitation program and we wonder where are we going and we wonder whose primary responsibility it is to win this war on narcotics. But I tell you, gentlemen, that without regard to what you provide to local law enforcement officials, and I appreciate that this might not be the committee that would do that, but you men are of tremendous respect and influence in the Congress of the United States; we are not going to win the war because as long as derivations of opium and processed heroin can be imported in the United States we are going to have a narcotics problem in the United States. So it follows logically it seems to me that the problem is the problem of the Federal Government.

I do not know what success the Federal Government is having in terms of its international agreements. We saw reported very recently some success when a tremendous sum of illicit drugs was taken by law enforcement agencies as a result of international cooperation, but there are massive amounts of money involved in this and there must be substantial power behind it and substantial influence behind it and I don't necessarily mean the kind of influence that leads to cooperation by even international agreements; it is not going to be done and is not going to be accomplished. The hope for the future is to stop any one person from becoming an addict in narcotics and we can stop it, and I will address myself more to the Federal level in just a moment, by stopping its importation.

You gentlemen, I am sure, are aware that the lowest point of narcotic addiction in the history of the United States, the lowest rate was during World War II. Now, admittedly, there are many reasons for that; young men were off to war and young men were in military camps and, therefore, not on the streets of the ghetto or other communities where they could become addicted to narcotics, but there is another more compelling reason, it seems to me, and the more compelling reason is that nothing came into the United States; no plane or no ship that wasn't thoroughly searched, no person who wasn't thoroughly searched, no suitcase that wasn't thoroughly searched.

There was great difficulty in importing anything illicit into the United States during World War II. Why? We were at war, and yet we are involved in a war today and we refuse to label it as such, a war that is killing more of our young people in the United States than were killed in all the world wars. The Congress of the United States and the Federal Government must declare war on narcotics, and in my judgment it will cause substantial inconvenience as it did at the border of Mexico when they were trying to stop the importing of marihuana and hashish of good grade from the Mexican farmlands. Sure there was substantial inconvenience and there were great complaints and much agitation and much aggravation but if the Govern-



ment of the United States would devote more of its wherewithal to those kinds of programs to see to it that these narcotic drugs are not available in New York City, in Buffalo, in Chicago, in Houston, Tex., in San Francisco, and then we may begin to win this war. But, anyone who thinks they are going to win this war against narcotics at the local level in any community is deluding himself because it will not be won at the local level, but we are going to keep up the fight. So I say if that kind of a Federal approach can be had and if the millions that we are wasting in money locally could be devoted to that kind of a program, there is hope for the future.

Why does this bill give us hope? This bill gives us hope, gentlemen, for the same reason as I started out to say when I said that I am for this bill, but possibly for a greater concept than the bill itself recognizes. I am for this bill because if any parent—Arlene and I have proudly born nine children into the world and if any parent can be altered to a potential problem in their own home, then as a result of having been alerted before addiction, before addiction has set in, he can take steps that we know are available to prevent addiction, this bill, Mr. Chairman, is tremendously worthwhile—tremendously worthwhile.

Gentlemen, in 9 years I don't know of one narcotic addict, and I know many, who has abstained from the use of narcotic drugs for more than 6 months, not one, and I will not name them because other officials should speak for themselves. I have heard classic cases like Barney Ross and others. Barney Ross was a medical addict. I think there is a substantial difference. I don't know of one addict who has ever been, and I quote, "cured" from narcotics addiction, one of the classic addicts who we are referring to here in your hearing today, nor do I know of a public health official, nobody in the administration of the war against narcotics, who knows of one addict who has abstained from narcotic drugs for more than 6 months.

So, gentlemen, the possibility for "cure," and I put the word in quotes again, is limited, certainly not impossible, but extremely limited, and you are aware of the statistical reports from probably the greatest facility in the world, the Federal hospital at Lexington, Ky. I believe, although I haven't reviewed their figures in several years, but I believe at one time my recollection is that they claimed at best a 3-percent abstinence rate, and I was always suspect of that figure; I don't think it was ever that high. So the thrust of our approach: Federal, State, and local, must be what is represented, Mr. Chairman, in the essence of your bill, and that is, to alert parents particularly to the potential for addiction so that steps can be taken before addiction sets in.

Incidentally, while I am here, let me say that there are other phases of narcotics rehabilitation. One is the concept of the methadone treatment. While, admittedly, gentlemen, we have not had sufficient experience yet, I suppose, to reach a final definitive conclusion on methadone, but I will tell you that I have grave misgivings, as I stated before you today, on the value of this whole methadone program. First of all, as a simple basis, it is merely the substitution of one addiction for another. I am not sure that in its concept that is a proper approach and, secondly and more importantly, from my point of view,



we are now developing addicts who are addicted to a synthetic drug that is pharmaceutically manufactured in the United States.

Now, we have had experience with the pharmaceutical manufacturers of the United States. Each of us sitting in this room have heard that those manufacturers have oversupplied the legitimate drug-market for many, many years. We are aware that there are supposedly governmental controls on that manufacture and on that distribution. Someone must explain to me why these drugs, these amphetamines and barbiturates and others, are manufactured to such an extent as to supply the entire illicit market in the United States, a market which we know is increasing in numbers everyday. Now, are we to rely on these same manufacturers never to get involved in the illicit market or never to supply in the illegal sense the illicit market in methadone?

So again to reiterate the point of my appearance here today, it is nothing more than this: That any step and any approach that you take, Mr. Chairman, or you, Congressman Rousselot, or any public official in a high, responsible position, which can result in the prevention of addiction of one or more human beings is a sound approach, is good and good for this community and is good for this Nation, and I commend you, Mr. Chairman, for the concept of your bill.

Mr. GAUGHAN. May I commend you, Mr. District Attorney, on your remarks. I think I can honestly say that I have rarely, if ever, heard a more articulate presentation of the drug problem or a more sincere and fair representation. You have so well covered the many questions that I was going to ask you that I find it not necessary to go over them. I would only be repeating myself to ask a question to which you have already given the answer. Consequently, I have only one question that you brought to my mind as you were testifying. You mentioned that to your knowledge in your long and distinguished career in law enforcement that you have never heard of one single cured addict or an addict who came back to human existence again?

Mr. DILLON. I do not know of one.

Mr. GAUGHAN. The bill that we are concerning ourselves with this morning proposes that a parent might, if he sees some suspected substance around the home, put it in an envelope and mail it to the proper authorities for an analysis.

I might ask you if you would agree that this bill would allow the parent one last chance to find out if a boy or a girl under the parent's care was just about to embark on that long path to insanity, death, or destruction? Would you agree with that?

Mr. DILLON. Oh, absolutely, Mr. Gaughan, and I think essentially that is the purpose and thrust of my comments. I think we all agree that anyone who experiments with narcotics is not immediately addicted to narcotics and, therefore, I think this bill, the chairman's bill, has the potential for a parent to discover the presence of narcotics during the period of experimentation prior to addiction. I think that there is substantial hope, not only substantial hope, but I think the odds are greater that if a parent is alerted to a problem at that stage of the experimentation, that that child will never become addicted to narcotic drugs because the law of nature, as men such as you and I know it to be, is that parents fight for and preserve their children and I think that alerted parents, alerted not in the sense of a community problem, but alerted in the sense of a particular problem in their



own household involving someone loved and near and dear to them, a parent will go ahead and do what is mandated to be done under those circumstances. My concern is, Mr. Gaughan, that if the parent only learns subsequent to addiction, that the odds are substantially less that that parent will succeed.

Mr. GAUGHAN. One last question on my part, Mr. Dillon. I was interested to hear you state that the problem that formerly was on the campus, or that age level, has now filtered down to a lower age group and a different addiction level. Would you comment on that?

Mr. DILLON. If you will recall, Mr. Gaughan, right here in the city of Buffalo in our own university system we had turmoil on our college campus. We had a major disturbance as Congressman Rousselot had in California. I certainly do not attribute the entire incident of disturbance to narcotic experimentation or the use of narcotic drugs but I do believe that it was a contributing factor to the disturbance.

You will note that today in the United States, we have far less difficulty on the college campuses, but you need not look beyond the city of Buffalo to find difficulties in our high schools. I think that certainly, not in toto, but I think that partially the reason why our problem in this area has transferred itself from the college campus level to the high school classroom and high school corridor and environs surrounding the high school is related to drugs and drug use and drug experimentation, and law enforcement investigations tell us that in the last 3 or 4 years more and more of a flow of illicit drugs at the high school level is being seen, and I think that is part of the reason for the transference of our problem.

I will also tell you something else: I think in terms of experimentation on the college level, it is now less of a fad than it was 3 or 4 years ago. Now, this might sound to you to be in opposition to what I have said about the ever increasing number of addicts and I am not going to get into a statistical discussion which I am not prepared to handle, but the fact of the matter is that I think there is less experimentation now at the college level because the experimentation process has already been gone through at the high school level. Now, it may well be that those who were well on the road to addiction at the high school level are now in college and before they are finished, they will destroy their college career and destroy their lives.

We know that the problem of narcotic addiction is increasing but I think the experimentation process is starting much earlier in life now than it was 3 or 4 years ago when we were having our major problem on the college campuses in this country.

Mr. GAUGHAN. While the narcotic addiction was traveling from the black ghetto to the white affluent suburbs, it was also traveling from the college age group to the high school age group, is that what you mean?

Mr. DILLON. Yes.

Mr. GAUGHAN. That is all the questions I have, Mr. Chairman.

Congressman DULSKI. Mr. Dillon, you are so well informed on this problem of narcotics that you answered many questions that I had intended to ask. I want to commend you for your fine statement. I would make the comment that I agree with you that parents can rely on law enforcement agencies to work together hand in hand with them and thus help eliminate addiction. Thank you very much for your appearance.



Congressman Rousselot?

Congressman ROUSSELOT. Thank you, Mr. Chairman. District Attorney Dillon, I, too, am very happy to see such an articulate presentation and, I might add, very much to the point. Especially your comments directly related to Chairman Dulski's bill because that is what we are here to talk about.

Now, I would like to submit to you 11 questions and it would be appreciated if you could answer them in writing.

Mr. DILLON. Congressman Rousselot, you seem to have increased the number from four to 11.

Congressman ROUSSELOT. That is a problem in Congress, we always increase our flow of questions.

Mr. DILLON. I would just make this one comment because I certainly do not want to take too much time here because you have other people to hear. Of the four concerns indicated to you probably by one of the law enforcement agencies that you referred to Sheriff Amico, quite frankly in the broadest of senses I am only impressed by the first.

Congressman ROUSSELOT. Of the first three questions I asked, they were actually put to the sheriff himself.

Mr. DILLON. You alluded to four separate problems which were really, in essence, as to some objection to the bill?

Congressman ROUSSELOT. Yes.

Mr. DILLON. And there is some note as to your first, and that is the possibility of the prospect of the envelope being used as a device to delude law enforcement officers?

Congressman ROUSSELOT. Yes.

Mr. DILLON. In terms of the illicit possession and transference of narcotic drugs, that is a problem. I am not sure that law enforcement agencies could quarrel too much with that problem because without the use of the mails, that effort is going on today and being sponsored by the Buffalo Police Department, and I think also the sheriff's department, so that it may be a problem but I am not sure that it is a problem of such dimension as to defeat a bill so meritorious as this one.

Congressman ROUSSELOT. Then maybe we should tighten the language of the bill.

Mr. DILLON. The other questions I would be glad to comment upon and the additional seven which I am not aware of I would be glad to comment upon. Upon your reference to the rendering available to defendants and defense bar funding for the defense of criminal cases, I have some very strong feelings on that, Congressman, that you may not anticipate. I strongly support those kinds of programs.

Congressman ROUSSELOT. Fine. I think it will be important to have what your experience has been because we get complaints both ways.

I do have a couple of additional things which I think we have brought up that did not come up before that I think would be important to us as legislators, because we do legislate a great deal of money in the field of rehabilitation. Some of the money is handled through the State and some directly through other institutions, private and public, in the field of rehabilitation. Today, you commented on a true cure and the waste of public funds in the field of rehabilitation.

Because you are right in the field fighting the drug problem and are intimately involved with the effectiveness, or lack of it, of pro-



grams designed to correct it, your constructive comments on how we could do a better job as it relates to Federal funding would be most appreciated.

Mr. DILLON. I will be glad to give it to you.

Congressman ROUSSELOT. There is another area we haven't covered here today that I would like to have your information on and that is in the field of education. Chairman Dulski's bill really is an attempt to help provide a device so parents could educate themselves as to what their children are doing or not doing, and is it real or not real and whether they are involved in narcotics. That is the intent of this bill, and that is the problem of the psychology of dealing with the young people themselves because so many of them are impressed at a young age and consider taking drugs "sophisticated," to really live. Therefore, by the time they are hooked, we see the parents and adults and anybody, even their own peers, who try to help them, being given the same routine "Man, you are not with it. You don't understand this. You don't understand how this way of life is." How do we cope with that problem?

Can we include anything in this bill or other related legislation to help to educate the parent who is faced with the psychology of the young people who are hooked and who say, "Man, this is the new way of living. You aren't really living because you have been denied the use of these psychedelic drugs."

Would you comment on that?

Mr. DILLON. I would be pleased to.

Congressman ROUSSELOT. That is all, Mr. Chairman.

Congressman DULSKI. Mr. Gaughan, do you have anything further?

Mr. GAUGHAN. That is all. Thank you Mr. Dillon.

Mr. DILLON. Thank you, Congressman Dulski.

Congressman DULSKI. Our next witness is Mrs. Carol Thompson.

Mr. GAUGHAN. Mrs. Thompson, a warm welcome to you, madam, for coming. We appreciate your coming to be with us this morning.

Before proceeding, I would ask you to first identify yourself for the record. Would you give us your name and your affiliation?

#### STATEMENT OF MRS. CAROL THOMPSON, PRESIDENT, PARENTS IN CRISIS ORGANIZATION

Mrs. THOMPSON. I am Mrs. Carol Thompson, executive director of the Parents in Crisis Organization.

Mr. GAUGHAN. Mr. Chairman, Mr. Rousselot, by way of introduction of Mrs. Thompson, I might tell you that this woman is one of the leading figures in the fight in western New York against drug addiction. She is particularly concerned with the parents. She recently was cited and received a national award from the National Center for Voluntary Action, bringing much credit to herself and to this area for the efforts that she and her group, Parents in Crisis, are performing. I might say that during my interrogation and my meeting with Mrs. Thompson, I was impressed by her sincerity and dedication to this grave problem that confronts us today.

Mrs. Thompson, would you tell us, what is Parents in Crisis?

Mrs. THOMPSON. Very basically, it is an organization to bring the initial emotional support to parents when they discover a drug abuse problem within the family unit.



Mr. GAUGHAN. Do you have a full time staff?

Mrs. Thompson. Yes, we have a staff. We have a corps group of the most dedicated parents in this part of the State, simply because they all have been involved in crises. They return Monday after Monday to our sessions because they have this need even though in some cases their own problems are resolved, but they reach out and help other parents who have been through that. We also have some young people who work with us who we call bridges who happen to be young enough to be able to relate with young people and old enough not to antagonize parents who come to us. We also work with attorneys and pharmacies and all of these efforts, I might add, are voluntary.

Mr. GAUGHAN. I was just going to ask you that, Mrs. Thompson. Are any of the people connected with the organization paid?

Mrs. THOMPSON. Not at all.

Mr. GAUGHAN. Not a dime?

Mrs. THOMPSON. No.

Mr. GAUGHAN. It is all voluntary?

Mrs. THOMPSON. That is very true.

Mr. GAUGHAN. You receive no funding from the local, State or National Government?

Mrs. THOMPSON. We do exist on donations for what printed material we have and which is supplied to the public through our channels to help educate as a secondary purpose of Parents in Crisis.

Mr. GAUGHAN. But no governmental funding at all?

Mrs. THOMPSON. No.

Mr. GAUGHAN. Mrs. Thompson, how long has your organization been in existence?

Mrs. THOMPSON. Three years. We will be starting our fourth year of service.

Mr. GAUGHAN. Is the problem getting better or worse?

Mrs. THOMPSON. Unfortunately, worse.

Mr. GAUGHAN. You have just heard District Attorney Dillon testify and I presume you heard him say that the age level is going down. Would you comment on that, please?

Mrs. THOMPSON. Well, because of the very nature of our organization, the parents who come to us are parents of youngsters between the ages of 14 and 17. Somehow, though, we do have older children involved. Somehow the parents of these children have either learned to live with the problem or they have been able to find some agency help, but our ages start from 14 years but we do have a 13-year-old involved currently.

Mr. GAUGHAN. You presently have a 13-year-old child involved in hard drugs?

Mrs. THOMPSON. Most of the area in which we at Crisis work is soft drugs by our general service calls. The information is that we have indications that there is an alarming rise in heroin use.

Mr. GAUGHAN. What are the biggest drug problems or what drugs are most in use in this area, Mrs. Thompson?

Mrs. THOMPSON. That changes almost from month to month, but currently I would have to say barbiturates.

Mr. GAUGHAN. And what would be some of the other drugs that you have experienced in the area?

Mrs. THOMPSON. The problems that we have come into our center range from every form of glue sniffing right on to heroin. As I said



before, right now we are involved in an upswing in barbiturates. The point on glue sniffing, if I may say this for a moment, I am sorry that this particular area is not pursued as much as it should be. For nearly 3 years since our inception we have been working with a youngster who started glue sniffing at 14 years of age and has been to all kinds of agency helps in the area and there is so little known on the subject that this particular boy after trying therapy, he goes as far as living in a therapeutic community trying to seek help and not being able to do that, he is under 24-hour surveillance by his mother because that is the only solution to this particular problem because this happens to be the closest stage. It is not an isolated case.

Another concern is that young people live home and this may be the point where most parents discover that their children are using drugs. It happens quite dramatically, they are busted or they can't cope with certain problems or the child simply turns up missing. These are the kind of parents who come to us in case of need, not knowing what to do or where to go.

Mr. GAUGHAN. It has been said that heroin is moving out of the ghetto and is finding a home in the suburbs. Is that true in western New York?

Mrs. THOMPSON. May I offer something on that, on the subject of the ghetto?

Mr. GAUGHAN. Yes.

Mrs. THOMPSON. It has always been, up until the public has had an involvement, the question of what drugs are and what they do, it has always been confined to the black community, to the black ghetto. We have a ghetto of another kind which is the ghetto of rows of ranch homes with attached garages with an eagle over the garage door, and with beautifully manicured lawns. This is the ghetto where we find drugs now. Incidentally, I have an eagle over my garage door.

Mr. GAUGHAN. I might add that I have one, too.

Mrs. Thompson, have you had any experience with people who come to you for advice where they have refused to have anything to do with the police department—where they didn't want to go to the police department when they needed and sought help, but as soon as you mentioned the police, they backed off?

Mrs. THOMPSON. An unqualified yes. I think that that probably definitely points up the value of this legislation. We had a mother who came to us recently carrying a pill, which she had found in her home and she was asking for an analysis. We are not equipped for this. We are fortunate in this area to have an analysis service, and when we referred the parent to the fact that she could drop into the nearest precinct and avail herself of this analysis, she refused to do so because she didn't want anyone to see her going in there in the first place. She was frightened. She didn't know what kind of confrontation she would have with the police when she arrived, and the solution became one where one of our bridges offered to take this to the precinct and have it analyzed for her.

Mr. GAUGHAN. Then is it your feeling, that this bill would facilitate and make easier the problem of the parent who is fearful of the police and the police department, to be able to find out easily and quickly whether or not this child is involved with dangerous drugs?



Mrs. THOMPSON. There isn't the slightest doubt in my mind that this is much needed legislation. I had planned on congratulating Congressman Dulski and Congressman Rousselot for being here today. We have heard from the professional people here today who have been witnesses but what I have had to offer I offer from gut level, the parents level point of view, as to the value of the service.

Mr. GAUGHAN. Mrs. Thompson, very many stirring arguments are presently revolving amongst people concerned with marihuana. It boils down to one big question: should marihuana be legalized? Do you feel that marihuana should be legalized?

Mrs. THOMPSON. Very simply and emphatically, no, and I speak for every single parent who has crossed the threshold of the Parents in Crisis Center.

Mr. GAUGHAN. All parents who have been affected by this monster, if I may use that word, have agreed that marihuana should not be legalized.

Mrs. THOMPSON. That is very true.

Mr. GAUGHAN. That is the first step down the road, is that correct?

Mrs. THOMPSON. It has been almost without exception—I would have to qualify it—there are some exceptions but almost without exception, it has been the predominant drug used by the youngsters whose parents come to Parents in Crisis, along with other soft drugs.

Mr. GAUGHAN. Mrs. Thompson, among the people that you deal with, is there a certain type of individual or family grouping that seem to become more readily involved in the drug culture or is it all-pervading?

Mrs. THOMPSON. It is no respecter of race, creed, or social status. It affects every living family in one way or another, in subtle ways in some, where it is actually being used within the family, but every social clime is affected.

Mr. GAUGHAN. One last question for you, Mrs. Thompson. Have you in your experience ever seen a cured addict, an addict who has been on hard drugs who has been able to throw the habit and come back?

Mrs. THOMPSON. I can't honestly answer that because the addicts, some have been clean for several months and are still clean and there is still that possibility, but I prefer to think of heroin addiction as a disease which can possibly be arrested but most certainly cannot be cured.

Mr. GAUGHAN. You say it cannot be cured, it is impossible?

Mrs. THOMPSON. That is right.

Mr. GAUGHAN. If there is any hope, that hope lies at the level where they are able to confront the boy or girl in that experimenting stage and attempt to divert them from going deeper into the drug culture?

Mrs. THOMPSON. Yes; and one of the things we have done is provided guidance depending on the age of the child involved and the drugs. We have used consultation with Family Court where probably the child will be and we should take a good look at where he is going and what he is doing. We have various other stopper methods we use.

I think our parents, most of them who come to us initially, have kind of a feeling, a deep feeling inside them that because his child has suddenly become uncontrollable, because his disposition had changed, because there are large gaps in conversations, in relations in the family, that there might be drugs at the bottom of this, but most



loving parents do not want to admit the drugs are present and if these parents can be given some concrete proof that, yes, in fact drugs are involved, they have a starting point where from there on it is possible to effect a cure and that the parents have been brought to the realization that, yes, what they were feeling within themselves is true. Now, where do we go?

Mr. GAUGHAN. Incidentally, you did mention something to me the other day that had not occurred to us. You said that the most panic stricken and the most helpless parents that you in your organization run across are the widowed and divorced mothers who have no husband to turn to. When they find a substance in their home they have absolutely no counsel at all. You indicated that you felt this bill, this method of quickly checking, could either confirm a mother's worst fears or quickly allay those fears?

Mrs. THOMPSON. Yes. Many cases where they are a husband and wife involved, they have each other and they can work together with various agencies and, as you so aptly put it, the divorced woman or the widowed woman or the widower, because we have had cases of widowers, someone who is standing alone, needs the reinforcement of proof but before he can go on or she can go on.

Mr. GAUGHAN. Thank your, Mrs. Thompson. That is all, Mr. Chairman.

Congressman DULSKI. Thank you, Mrs. Thompson. I would like the record to show that this subcommittee deems you to be a very important witness. I am sure that Sheriff Amico and District Attorney Dillon look to organizations such as yours for much assistance.

On December 1, 1971, I placed in the Congressional Record my remarks concerning the Buffalo Parents in Crisis unit which had been given a national award in recognition of its work in the drug area. I would ask the consent of the committee to place this into the record. (The article referred to follows:)

[From the Congressional Record of Dec. 1, 1971]

#### BUFFALO'S PARENTS IN DRUG CRISIS UNIT CITED FOR DRUG AID

Mr. DULSKI. Mr. Speaker, the National Center for Voluntary Action has cited a Buffalo, N.Y., organization for its unique understanding and education for parents of drug users.

The Buffalo group known as Parents in Crisis has been honored in the national volunteer awards competition. In February, the national center will choose two national winners, an individual and a group, from among the citationists.

Parents in Crisis was established in 1969 and reaches an average of two new parents a week. Its primary purpose is to provide initial emotional support to parents of young drug users.

They offer weekly group therapy sessions where so-called crisis parents, young people familiar with drug problems, and volunteer staff and advisory members join to discuss drug abuse.

The Buffalo unit also operates a 24-hour counseling and reference service for drug users and their parents seeking help, as well as a comprehensive speakers panel available to any group or organization.

The organization is funded entirely from donations, nominal fees for speakers, and collections at meetings.

In an effort to further its secondary purpose of educational outreach, the Buffalo group has formed a second unit known as Youth Awareness. This is designed primarily to educate brothers and sisters of the drug user to the individual's problem.

Both groups work in complete cooperation with the New York State Narcotic Control Commission, Erie County and Buffalo City courts, the Erie County Men-



tal Health Association, as well as several law enforcement agencies and many religious groups.

I am very pleased at the national recognition which the Buffalo group has received. What is more important, of course, is the vital work which the group is and has been doing.

The problem is great and no volunteer group can be expected to cover the waterfront alone. But the work of Parents in Crisis is doing much which is worthy of praise. What's more, there is no question in my mind but that the benefits go far beyond the immediate participants.

Congressman DULSKI. I want to commend you further because the counsel informs me that soon after this award you were personally cited by the National Center for Voluntary Action for your work in fighting drug addiction.

Mrs. THOMPSON. Thank you, Congressman Dulski.

Congressman ROUSSELOT. Mrs. Thompson, you started your comments by mentioning you didn't feel you have the professionalism of those that preceded you. I think your sincerity and the desire of your group on a voluntary basis certainly comes through. I think, as one who is very much of a believer in cooperative efforts by voluntary organizations, that you certainly are to be complimented for the stand and the efforts that you are taking to undertake to deal with an extremely difficult problem in an area where we have too long forgotten and that is the parents.

I know that Congressman Kemp also mentioned to me before coming here about the work of your organization. I think you are to be complimented.

How many do you have in your organization?

Mrs. THOMPSON. We have a core group of about eight parents. This number fluctuates because of the involvement. Most of the people are working parents and since the effort is voluntary, they are there simply because they want to help, but approximately eight.

Congressman ROUSSELOT. How many parents that participate in helping?

Mrs. THOMPSON. We have six staff members. We have approximately five bridges.

Congressman ROUSSELOT. Bridges are the young people?

Mrs. THOMPSON. They are the young people.

Congressman ROUSSELOT. I was very interested in your comments about the fact that you do not believe that marihuana should be legalized in any way.

We are getting a lot of pressure now in Washington on the question of marihuana because the Federal drug abuse law of 1970 established the National Commission on Marihuana and Drug Abuse, and it is rumored that the first report will recommend that marihuana be legalized or at least the penalties be lessened. Could you comment?

I know you have already commented on it briefly but could you comment further why you feel that on the basis of the experience of your group that the legalization of marihuana would be a step backwards?

Mrs. THOMPSON. On that basis, parents who have had children involved with marihuana week after week go through the same dilemma. This business of conversational gap, generation gap, comes up continually and we have found that all of our children have had a normal growing relationship with their parents until they are confronted



with drugs. We are stuck with marihuana because that is what is underfire right now.

Congressman ROUSSELOT. That is the most common?

Mrs. THOMPSON. Yes. When they reach a point of smoking marihuana habitually, two or three cigarettes a day, two or three joints a day, and when we try to work with these youngsters, that is when the gap occurs. We have had normal open communication lines with our children until they are confronted with the drugs.

Congressman ROUSSELOT. In other words, it is not only the problem of the possible addiction to marihuana, although the claim is made by some people that it is not addictive and that will be one of the things to come up, but it also has a psychological problem of creating a point of difference between the parent and the student and they are no larger, and I quote, "on the same wave length," is that correct; it is a mental problem?

Mrs. THOMPSON. Yes. This business of communication gap, very often parents will say that this problem wasn't within the home to start with and nine times out of ten in the normal family unit the problem started and lack of communication started when they started using marihuana.

We also try very hard in our organization and, once again, we are not professional people, but we have been looking for common factors through the last 3 years and, noticeably, and from the mouths of the marihuana smokers, one of the complaints is that they have lost immediate recall; they have very much difficulty trying to remember what happened a few moments ago.

Congressman ROUSSELOT. This is the report of users of marihuana?

Mrs. THOMPSON. This is the report of users of marihuana and what has been stated by parents. We know it causes a problem with depth and time perception.

Congressman ROUSSELOT. Depth and time perception?

Mrs. THOMPSON. Yes, very much like alcohol. What isn't known about it is what frightens me. We have spent some 25 years educating the public to the drug alcohol and only now are we getting a toe hold in what it does and where it can go and really and truly it frightens me to think that we are trying to put another drug on the market.

Congressman ROUSSELOT. You think we might exercise a little caution in Congress before we legalize marihuana?

Mrs. THOMPSON. I wish there were stronger words.

Congressman ROUSSELOT. Would you be willing to come and testify before the Congress if we come to grips with this problem?

Mrs. THOMPSON. I would be happy to.

Congressman ROUSSELOT. You mention another area of general cooperative effort which you have received from law enforcement agencies, the sheriff's office, the district attorney, the police and others that deal with the specific problem of enforcement in the field of drug abuse. Have you found it to be oppressive as we are so many times told in dealing with the organization?

Mrs. THOMPSON. Well, yes. The very nature of why that parent or that child is in court is oppressive. The whole area of recognition of the child and the publicity, it smacks of oppression. It is a very difficult thing to live down, the fact that your child has been busted and has been charged with a felony or has been placed on probation; it tears



apart the family sometimes but currently Parents in Crisis is one of the methods we do use, as I spoke of before. Very often it works in reverse. Very often when a child is confronted with justice that is being dispensed, he and his family start working together 100 percent. It works both ways but, yes, the whole area is oppressive.

Congressman ROUSSELOT. What I meant was do the local police agencies or the local law enforcement agencies who work with your organization or your organization with them, have you found them oppressive?

Mrs. THOMPSON. No.

Congressman ROUSSELOT. The charge is often made that they are passive and they are unwilling to show a humanitarian approach in their duties in dealing with the problem of drug abuse when they see it. Do you find them that way?

Mrs. THOMPSON. Within the area of our center, I would have to say no; they have been cooperative and understanding and in getting the child to understand.

Congressman ROUSSELOT. I have one other point and I will complete. District Attorney Dillon and the sheriff have mentioned that the problem is still increasing of drug abuse rather than decreasing even after we have passed all kinds of laws to deal with it and to cope with it and that Government agencies are not totally able to combat the problem alone, and your organization is providing a bridge between the parents and the potential user and/or user.

Do you find the public segment are doing all they could do in this area?

Mrs. THOMPSON. No, but this always could go on and on. It is a universal cop out.

Mr. GAUGHAN. A universal cop out?

Mrs. THOMPSON. Yes; the idea is "let Joe do it." The problem is, just who is Joe, and when does Joe start working. There is always the administrators, the agency redtape, inefficiency, the professional who doesn't understand what the problem is at the grassroots level, who doesn't understand what the professional can do to help. It is chaotic.

Mr. GAUGHAN. Thank you.

That is all, Mr. Chairman.

Congressman DULSKI. Our last witness this morning is Mr. Fred Willis, director, drug abuse research and treatment center. Do you have counsel with you today?

Mr. GAUGHAN. I am sorry, but could I just interrupt you one moment? Mr. Willis, for the record, would you identify yourself and give your full name and your affiliation?

**STATEMENT OF FRED G. WILLIS, DIRECTOR, DRUG ABUSE RESEARCH AND TREATMENT CENTER FOR THE COMMUNITY ACTION ORGANIZATION OF ERIE COUNTY, ACCOMPANIED BY ROBERT W. STANLEY, SUPERVISORY COMMISSIONER, SOCIAL SERVICES, AND MURRAY J. GRASHOW, ATTORNEY AT LAW, ERIE COUNTY, N.Y.**

Mr. WILLIS. The name is Fred G. Willis. I am director of Drug Abuse Research and Treatment Center for the Community Action Organization of Erie County.



Mr. GAUGHAN. And what is your name, sir?

Mr. STANLEY. Robert W. Stanley, supervisory commissioner, social services.

Mr. GAUGHAN. And your name, sir?

Mr. GRASHOW. My name is Murray J. Grashow, attorney at law for the drug abuse treatment program of the Community Action Organization of Erie County.

Mr. GAUGHAN. Now, Mr. Willis, you were going to say something?

Mr. WILLIS. I would like to say that we happen to be one of these programs that is funded federally in the county and I think I need to defend these kinds of moneys to start with. Without these moneys, I would not be here to speak for the silent minority who are not represented in this room and suddenly become the silent majority when we talk about drug abuse, especially heroin.

I think the room should be full of people to talk about the problem and for many reasons and many reasons not specifically with reference to those that are addicted to drugs but in many other things. The bill that the Congressman has sponsored, we feel is a beneficial one. I think it might be helpful in the war against drug addiction. Certainly we support it and we are glad it happens to be our Congressman that is proposing it.

The only criticism we have and we have heard it talking to people on our staff, people coming in and out of the office to get their forms who would be concerned as where the drug may be sent to. In our community there is a vast credibility gap between the community and the law enforcement agencies. They are a little bit concerned about going to the local agency to report the fact that they may have a narcotic drug and they would also be a little reluctant to mail it. Someone also has said why would they put it in an envelope and mail it? We have been very conscious of the fact that telephones no longer have become private property and in our community particularly we are a little bit concerned about it being done that way. We would suggest that there would be some laboratory facility that would be in a neutral location where the product or the item could be mailed for testing.

Mr. GAUGHAN. Mr. Chairman and Congressman Rousselot, by way of qualifying Mr. Willis' statement here this morning, I would like to state for your information that when we came into this area and started our investigation, at every level we heard "Why don't you talk to Fred Willis?" Everywhere we went we were told that. We soon discovered that in the community he is probably one of the leading authorities on the use of drugs and the abuse of drugs, and we quickly were in touch with him. We found him to be a source of immeasurable information and advice, and for that reason we are most fortunate to have him with us this morning.

Now, Mr. Willis, with those words I am going to ask you a few questions and obtain from you information that we would not normally get from some authorities. You have already touched upon one part of it, that there are areas that regard the police department as a big brother element with the big "eye." A good place to stay away from. You indicated that the program that is set up in some areas where the police are involved and perform the analysis, that in and of itself tends to scare people off and they will not use such a program.



As I understand it then, sir, you are recommending that the laboratories that are used here be non-law-enforcement connected?

Mr. WILLIS. Yes.

Mr. GAUGHAN. That they be hospitals, institutions, laboratories?

Mr. WILLIS. Yes.

Mr. GAUGHAN. Some such organizations that have no connection with the police department?

Mr. WILLIS. Yes.

Mr. GAUGHAN. If we might generalize for a moment, Mr. Willis, could I ask you to give from your fund of knowledge, why this generation? Why now? Why us? What has brought this about?

Mr. WILLIS. My best description of this can be as we describe an octopus which has tentacles that gradually grow. I happened to come to this area and this neighborhood in 1943 and, of course, I was a grown man at that time and I had heard in my lifetime about peddlers pushing drugs but I had never seen it. My first experience of seeing it was not in the Jefferson and Ferry area but at William and Michigan, right near the police station, and then I had my first experience of prostitution and drug abuse and I could not understand for the life of me how this could be so prevalent in this area when we have local police enforcement. There also, and this has been a constant concern of mine and my community, and we talk about legalizing it in our community and we wonder what you mean by the term. How much more legal can it be than the way it has been?

I am sure we all remember the big band era. At that time reefers were very common as the bands traveled around the country and played in the community. Drugs have become very common over this past period of time in my community and no one was particularly concerned. The problem now seems to be that the octopus has grown and the tentacles have spread out into other more affluent areas and it has become a bigger problem and everybody is wondering why now and why us. We have been asking this question for almost 30 years and yet we were making an outcry for 25 years looking for an answer and trying to get some help and no one heard us, no one.

Mr. GAUGHAN. What you are saying is that as long as the problem was a black problem, it was not recognized as a problem?

Mr. WILLIS. Yes.

Mr. GAUGHAN. When it moved into the white areas, then we became concerned; is that correct?

Mr. WILLIS. Yes.

Mr. GAUGHAN. It is a sad commentary.

Mr. WILLIS. Yes. As a matter of fact, about 3 years ago when I started to do some research on the problem based on some young men who came into our agency, I did some research in New York, Syracuse, Rochester, Buffalo, and Chicago. I began to tell some of the local city fathers then that we would have a problem, something we could not contain and at that time they came up with the figure of there being approximately 200 addicts in the community and at that time I felt that that figure was way off in our community because there was at least 200 within a mile radius of where I was living and I am sure there were others.

It is very interesting to hear the district attorney this morning say there were approximately 1,300 because I am sure there must be 3,000



or 4,000 more but I think what is happening here the figures relate to the community and not to the outlying area.

Mr. GAUGHAN. We would appreciate also, Mr. Willis, your comments about the existing society. I heard you speak the other day most eloquently about the drug-oriented society we live in.

Mr. WILLIS. Yes. We live in a society where we have a lot of free time and everybody is looking for a good time, a lot of recreation, and people who are using drugs initially, it is strictly for recreation. You are not going to change these young people as long as they are having a ball. This is the tragedy of it all. When they become hooked, it is too late. When we are talking to them now at the school level, we are talking and trying to tell them how bad it is, and they see us having our cocktails and all the other things that are so associated, we are telling them "Do as I tell you to do, not as I do." This is just what they are doing. They are doing as they want to do and I don't know but what they are not right until we can do something in our own strata, on our own level and try to correct our own evils.

There isn't just the problem of people using drugs. It is a social problem. We have a lot of social ills that have been created around hollow hours, hours when there is nothing to do and most of the people who enter into heroin addiction will tell you that they started because they had nothing else to do, and the same thing is present with young people, except for the fact that the hard addict or the hard drugs are being distributed by the big people who want to make more and more money, and I was surprised here that the organizations in New York are not here. I had been inclined to believe that we would have some organizations here because I think there are not too much drugs in this community handled by poor people; I don't think the poor people have the wherewithal to move the quantity of drugs around and the amount of money that is involved. They are not allowed to do this. It is definitely controlled, I am sure.

Mr. GAUGHAN. To return to my initial question, I think you will agree, though, that the aspirin swallower and the tranquilizing drugs—

Mr. WILLIS. It is all part of the culture.

Mr. GAUGHAN. It is all part of what the adults do and I believe you are referring to that when you say "Do as I say and not as I do." They know what a tranquilizer is and they know what an aspirin is and they know what all these other drugs are. They say "It is just a different type that I am using." Is that correct?

Mr. WILLIS. That is right.

Mr. GAUGHAN. I don't want to make some of the people in the room uncomfortable but I know that I became uncomfortable when I asked this question of Fred. Do you smoke?

Mr. WILLIS. I don't smoke.

Mr. GAUGHAN. Do you drink?

Mr. WILLIS. I don't drink.

Mr. GAUGHAN. You certainly are an exception for a man who is connected with this terrific problem and I think some of us might think about it a little more.

Mr. WILLIS. I might add, the district attorney mentioned raising nine children. Of course, we have raised seven children and at the very out-



set I felt that I could not raise them without setting some kind of an example for them.

Mr. GAUGHAN. What you say is true. Now, it has been said that in some areas that the police departments are part of the distribution system, that in one way or another they have become involved. Do you think this is something that is prevalent around the country because of the huge amount of money involved?

Mr. WILLIS. It has been rumored in our community for years that this is a fact. Necessarily the newspapers have been telling us that. I am sure you are all familiar with the front page of the papers not only in New York City but also in Buffalo. There have been experiences of people in our community where drugs have been laying in revolving doors, revolving in and out of prison, and so does the drug, it goes back and forth in the community.

Mr. GAUGHAN. I would put to you, sir, this one last question that is on so many minds today: Do you think, Mr. Willis, that marihuana should be legalized?

Mr. WILLIS. Not at all. I have happened to have lived long enough and lived through that period when there was talk about the legalizing of alcohol and I remember some of the arguments and finally alcohol was legalized. I also have articles on my desk printed several days ago about the use of methadone and I wonder if anybody read the article which mentioned that there were 127 deaths from alcohol and only 11 deaths from methadone. The article was to imply that methadone is a killer and that alcohol today is a killer much more than any other drug.

I think marihuana would only compound our problem. I would hate to think that I was going out taking an airplane and the pilot had a joint or the cab driver had a joint.

Mr. GAUGHAN. I saw the article which you mentioned and I do recall a big black headline that said that 11 methadone deaths occurred in Erie County during this period of time and buried way down in the paper there was another article which casually mentioned that there were 127 people who died in Erie County from the effects of alcohol.

Mr. WILLIS. That's right.

Mr. GAUGHAN. Mr. Willis, then you are telling this committee this morning that you favor this bill?

Mr. WILLIS. By all means. I think anything that can be a help to this area we need as a tool. In my community there will be some individuals who would use it and I am sure that it would be a good tool. I would like to defer to—

Mr. GAUGHAN. I was just going to call on Mr. Stanley.

Mr. STANLEY. I have sat here this morning and I have listened intently to all the articulation and information related and unrelated and if I may add this as to addiction, addiction goes another step further and that is prevention, but we will set that aside for now.

I am saying, one, where does the information come from that everyone here alludes to? In society wherever you talk about information, you must allude to some source of information. Unfortunately, it appears that the information is somewhat confused because I heard Mr. Dillon say that in treatment, that no one is treated. Myself, I went to the courts myself and the judges told me there is nothing they can do.



I have taken drug addicts to the hospital myself with their drugs and a suitcase full of clothes and they were turned away. Myself, this is the source of information which I have to allude to. In relationship to treatment, you can't treat half the man. If you have a broken arm, with the mending of that bone there is a certain psychological aspect that goes along with this particular mending.

If you have anything wrong with you, any ill, regardless of whether it affects you psychologically, there is a cure and there is a conglomeration of quantities that go into this pot called man. We try to employ everything we have in relationship to that one particular person and, I might add this again, unfortunately we have not come here to stress our particular plan because I agree with Mr. Willis with relationship to Mr. Dulski's bill. Anything and everything that you can come up with to help the narcotic dependent, so be it, because there is not enough to go around.

In relationship to this one other quantity, I have heard it said here about drug use and the ghetto. Bear in mind that what I have to tell you is that drugs is a society problem. It is not a question of black and white at this juncture but it is a society problem, in a society where people see exploitation as a way of life and they don't have the skills to exploit anyone and they must go out and hustle. In the ghetto we see those who drive in the street with Cadillac cars and fine suits and he can't exploit anyone in the street and consequently he must prey in the community and this keeps the black community weak. Consider, if you will, if you are an abuser, a drug user or abuser in middle-class America, and suppose he begins to peddle drugs. He is not tolerated in that community. He is immediately set upon by his peers or his family. In the ghetto, too, so many strive for something to eat or some clothes to wear and they sell drugs or any other thing that he could use to eat with because you could exist in an open end society like this and starve to death. This is what is happening today.

You gentlemen sitting here today consider this bill. There is so much said about law enforcement. Law enforcement is necessary; it is a necessary quantity but anytime men take whatever positions they hold and use that as a personal thing, then we fit our positions, and it means reevaluation. We set that aside, too, and we just deal with the person per se.

I have addressed quite a few colleges and I found that teachers say in colleges today that what do the children want when they come in here? They should come in here and want to learn. Children come with an open mind and without your dictating, you teach the child what they like and what they want to learn.

Methadone is also a necessary evil but in a society where anything can be done or anything can be used to abort drug use or drug abuse, it is a good thing, but I think also controls and good controls, good tight controls, should be in order where you have knowledgeable people in that given field. Unfortunately, from a psychological aspect, it is not any part of it in relation to the two quantities, the black experience and drug addiction. Where, in what agency other than ours have you ever heard of drugs being treated on an individual basis because there are forms of addiction, black addiction, addiction of heroin, is different from white? You must treat everyone in relation to the addiction. You can't blanket the addiction because there is no expertise.



Next you allude again to money spent. This is not a question of dollars. Surely if your sons or daughters became addicted, it wouldn't be a question of money but you would use everything in your power to do everything possible. Once you see one addict in withdrawal symptoms, then every addict becomes your brother. The point I am trying to stress, gentlemen, is not for political expediency, not for any money, not for any quantity other than why you are here. You are concerned in what you are doing because in today's society any help is a help. If you save one mother's child, your job is well served.

Mr. GAUGHAN. Thank you, sir. I could hardly add anything to your fine statement.

Mr. STANLEY. You allude to the fact of drug addiction being cured. It is curable. Now, this is relative on account of the individual in relation to use, what he sees in life after that particular part of drug addiction each day as he sits there. There was a young lady hired and she had told people in relation to her addiction, she told her affiliation to a certain program but subsequently she was fired, not because of inefficiency, not because of ineffectiveness, but because solely she was an addict, so in society today when you are an addict, you are stigmatized in relation to the rest of your life. Then why continue to be one? Our society has to have much more.

I know 50 persons, 50 people, some of which are in my immediate family that have abstained from drugs over a period of 5 years and they used the drugs 15 years. One person in particular that I know used drugs 24 years and he abstained and now he has yet to use drugs for 18 months. This particular person has yet to use drugs 18 months. Maybe tomorrow he might again deal with that. I don't know. Thank you.

Mr. GAUGHAN. There is hope?

Mr. STANLEY. Definitely.

Mr. GAUGHAN. Thank you, sir. Counsel, would you like to add anything?

Mr. GRASHOW. You seem to have stressed the question as to whether or not marihuana should be legalized and I have to share with Mr. Willis and with Mr. Stanley the fact that marihuana should not be legalized but, as we see it, marihuana should not be legalized and we should also look at the law that we have in the books that deal with marihuana and the use of drugs in general and I think there should be a reevaluation of all of our laws because, as Mr. Stanley just alluded to, to give a person the stigma of narcotic dependency because at one point in his life he was arrested for possession of a small quantity of marihuana or even a small quantity of heroin, this could ruin many, many lives. In my own personal experience I have dealt with many people whose lives have been ruined because of this and when we consider the real question of the marihuana laws, the drug laws, we should look at it in the light of a noncriminal aspect. These people are not criminals but they are suffering from a medical problem.

A person who is a narcotic dependent, particularly heroin, a person who must have this heroin in his daily existence, this is not a mentally sound person. This person should be dealt with in the same way as any other person who is mentally unbalanced. This is a treatment for a mentally unbalanced person, a sick man.

I came out of college at the time when the drug culture began to rise to the level we have today. I am 25 years of age and I am not very



distant from it. I have seen people who I have considered to be of high intellectual quality who, after they began to use the marihuana, they began a steady diet of it, maybe smoked not just 2 or 3 cigarettes a day, but maybe smoked 6 or 7 and had used a few pills or a little LSD. I saw these people fall into the depths that I couldn't even possibly have imagined, even when I first met them, and subsequently, like other people, they were arrested and tried as criminals. This is not the answer to their problem. These people were not criminals; they could not help themselves. I don't think we have as of this date shown that marihuana might be physically addictive; it certainly can be mentally addictive. This is the problem we have to face. This problem should not be dealt with as if you are treating people as criminals. This problem could be dealt with treatment, like any other person who is not mentally balanced. This may be something that is very difficult to differentiate between but I think if the Congress of the United States, the State level, the local level are really conscious of exerting all their efforts to deal with this problem, I think we can possibly present some legislation which would deal with this problem, which would deal with the user, the person who is really being victimized by drug addiction. It is not just society.

Mr. GAUGHAN. Thank you, counselor. That is all, Mr. Chairman.

Congressman DULSKI. Thank you very much. Mr. Willis, I couldn't agree more with you when you said that where there are idle hands, there is always a possibility of running astray.

I happened to have been in Vietnam on three different occasions. It seems to me that one of the reasons we have the drug problem among our troops in Vietnam is that many of them do not have enough to do during off-duty hours, so by being idle, they went into drugs.

I have voted for all the rehabilitation programs because I do have hope as Mr. Stanley has for success through rehabilitation. This legislation will also help, I am sure.

I thank you gentlemen for taking the time to be here today and for giving us your expertise in dealing with this problem.

May I say that just a few weeks ago a bill was passed in Congress hoping to find a cure for cancer. You know how long we have fought to try to find such a cure, without success. We do not say that we are going to stop trying because we have failed so far. There is hope. There were many other different diseases that they said they couldn't do anything about. Yet, cures were found and I am sure that drugs will be on the market which may bring about a cure for cancer.

In the meantime, stopgap measures are needed. So, I am in agreement with you that we need these centers and even if we can save only one or two people, we are making an investment in America. I think that we can afford to gamble money on the rehabilitation of drug addicts, and having dedicated people like yourselves, Mr. Thompson, Sheriff Amico, and the district attorney, helps considerably. With the expertise that you have and with the laws that we are going to try to enact, I am sure we have a good chance to succeed.

I want to commend you three gentlemen for the information that you have given to our subcommittee and its members.

Thank you again.

Mr. Rousselot?



Congressman ROUSSELOT. Gentlemen, Mr. Willis, Mr. Stanley, and counsel. I certainly am very appreciative of your contribution today in giving us your experience right in the frontline of this very tremendous problem we face as a nation.

Mr. Willis, I think you are to be complimented for your approach, that you cannot say to others with whom you are dealing, "Don't do as I say, do as I do" and I, too, abstain and I certainly agree with you. I abstain from alcohol and cigarettes and everything because how can I talk about those problems to others, and even my own children, if I am not practicing what I preach and I think you are to be complimented for that kind of criteria and hold that kind of a standard as a leader. I am very much in agreement with you that alcohol is an equal problem to drug addiction and, hopefully, our Nation as a whole will begin to deal with that problem also, and I am sure you get into it in your work.

I was interested in your comment about being funded. By the way, what are the total funds that come from the Federal Government to your drug addiction and Research treatment center?

Mr. WILLIS. I should have mentioned that although our agency is the OEO arm in our county, this particular program is paid for by the State of New York through the Narcotics Addiction Control Commission.

Congressman ROUSSELOT. What total dollars do you spend?

Mr. WILLIS. \$5 million for 12 months.

Congressman ROUSSELOT. Of the \$5 million from the State of New York, does any of that come from the Federal Government?

Mr. WILLIS. No.

Congressman ROUSSELOT. It is all directly from the State program?

Mr. WILLIS. Yes.

Congressman ROUSSELOT. I was very much interested in your comments. By the way, I assume that most of that \$5 million is for staff costs and what not?

Mr. WILLIS. It is a combination of everything. We give medical aid, legal aid, recreation; you name it and we provide it. It is all part of that.

Congressman ROUSSELOT. Fine, a little bit of everything?

Mr. WILLIS. Yes, a little bit of everything, because we find that in other areas they have programs that are fragmented and we find that the people very soon fall away and we feel that the philosophy of the one stop shopping idea might be the best kind of system, so as closely as possible, we try to do this and I think we have had more success than others. There are a couple programs in the country like that and my program was designed similar to what they have been running for the last 3 years out of the President's office.

Congressman ROUSSELOT. I was interested in your comments that you thought the bill should be maybe broadened to allow suspected drug samples to be sent to other laboratories other than just identifiable law enforcement agencies. Could you submit for us a definition of the character of the laboratories that you would be willing to allow this to go to so that we could consider that in the drafting of the bill. We need this information so that we do not go too far afield and just



allow anybody that says they are a research institution and then maybe just put the drug back into circulation again if it is not a bona-fide research center. Do you understand the point I am making?

Mr. WILLIS. Yes.

Congressman ROUSSELOT. Could you submit that for us in writing?

Mr. WILLIS. Yes, sir.

Congressman ROUSSELOT. Mr. Stanley, I was very, very much impressed by your comments, especially as they relate to prevention. This is really what Chairman Dulski is trying to get at or, at least, one little aspect of prevention, and, of course, to stimulate thinking about the problem of prevention.

I think your testimony is very helpful to us, since you are very knowledgeable and deal right on a firsthand basis. You have mentioned that you know of at least 50 who right now are abstaining for whatever the point of time is, whether 18 months or 5 years. I think it would be very helpful to us, without naming the people, if you could identify what kind of people those were and what it is that helped them to abstain from drugs since they have realized that it is the wrong course to take. That is what we are really talking about. How do we mentally keep that person steeled to not go back? I think this information would be very helpful to this committee because we are dealing with the problem of prevention and need to know how those people were able to want the guidance of whatever agent is helping them—whether they take the alcoholic anonymous approach or whatever, how are they steeling themselves not to again drop back into the drug culture. Could you do that for us?

Mr. STANLEY. Yes, sir.

Congressman ROUSSELOT. I think it might be tremendously important because that is what we are really trying to do anyway.

I was very much interested, counsel, in your comments when you said that from the physical aspects of addiction there is also a tremendous problem of mental addiction, in that the person not only feels the physical need for drugs but mentally he becomes in a rut. How do we legally deal with this problem? How do we go to court, if we do? That is what we have to be concerned with and in the drug addiction law that we passed in 1970, as you know, that is part of it, we classified particular different areas of drugs in varying degrees and so forth. Since you deal with this obviously on the legal side, how do we legally write into law or make amendments or whatever to deal with this problem or deal in a sensible, fair way with the mental problem?

Mr. GRASHOW. Well, I would have to throw the ball right back in your lap. You are part of the legislative process. I can only attempt to interpret those laws you write and I would have to suggest that you have to hold the same type of hearing you are holding now to examine into exactly what are the effects of charging a person who is mentally addicted and what has it done to the rest of their lives and find out exactly what possible changes we can make.

Congressman ROUSSELOT. Well, especially with marihuana which we are talking about, I think all three of you mentioned it and Mrs. Thompson mentioned that you do not believe that it should be legalized and you also then got into the whole subject of what is the crime and punishment to fit the act.



Obviously, the person who has taken one or two smokes of a marihuana cigarette is not under our law or should not be subject to the same punishment as the guy who possesses it and sells it and makes a profit out of it because he is ruining a lot of people's lives. That person is responsible for his own life and what may ensue. Would you comment as a person on the legal side of it as to whether you defend people or not defend people, whatever decision you make, how do we deal with it?

Mr. GRASHOW. I think the most important comment I can make in response to that is that we have to take the person who is mentally addicted—maybe “addicted” might not be the proper term but he is oriented toward the drug. We have to take this person and say that he is suffering from this problem, but we also understand that you have to prosecute it through the courts and he possibly has to serve a sentence in jail or even be put on probation or something. In any event, you stigmatize the person once you arrest him for the use of narcotics. We have to take this person out of that scope; we have to treat him in a wholly different manner, the best way we can get at it.

Congressman ROUSSELOT. You are familiar with the Drug Abuse Act of 1970. We have classified the different groups of narcotics of all kinds and we now leave up in the air the question of marihuana. Could you take those classifications, and I don't want to take all of your time, and as briefly as you could say whether we have made the penalty too hard and what are the reasons and say as to a narcotic the penalties are not stiff enough or too stiff and give us some idea where you feel we are not dealing with this properly. Is that clear?

Mr. GRASHOW. The question is clear but I think that the answer would take——

Congressman ROUSSELOT. Just on the basis of your experience. I am not asking you to be omniscient; none of your Congressmen can do that.

Mr. GRASHOW. I am trying to give you a response.

Congressman ROUSSELOT. I am saying in writing. Is that fair enough?

Mr. GRASHOW. Yes.

Congressman ROUSSELOT. Again, Mr. Willis, I think that you and your group are to be complimented for taking the time and the devotion that you do in really dealing with this problem on the level where it is happening. You are to be complimented. Whether it is federally funded or State funded is unimportant to me. What I am trying to say is that we have to finally make our decision and come down to how much money to devote to this or not to devote to it. Would you be willing to come down to Washington to testify when we start dealing with this problem of what we should do in the field of marihuana?

Mr. WILLIS. Yes.

Congressman ROUSSELOT. That is all I have.

Mr. GAUGHAN. That is all, Mr. Chairman.

Mr. WILLIS. Could I make one final statement?

Congressman DULSKI. Yes.

Mr. WILLIS. I must add that we would like to invite you gentlemen while you are in town to come down and look at our center and I would also like to indicate to you that we have had some information



from the sheriff and the captain of the local narcotics squad and they have come in and looked at our facility.

Mr. GAUGHAN. Do you find them cooperative in their efforts?

Mr. WILLIS. Yes, with us they have been.

Mr. GAUGHAN. I have no other questions.

Congressman DULSKI. I notice that the hour is 1:30. We are scheduled to reconvene at 2 o'clock. We will recess until 2:15.

Congressman ROUSSELOT. I have to leave so could we try to be back at 2 o'clock?

Congressman DULSKI. The committee will stand in recess until 2 o'clock.

(Thereupon, at 1:30 p.m., a recess was taken.)

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#### AFTERNOON SESSION

Chairman DULSKI. The meeting will come to order. We will continue the hearings on the feasibility of sending drugs through the mails for analysis purposes only.

One of our major problems today, still nowhere close to being solved, is the increasing use of narcotics, especially by the young. This problem has confounded the best efforts of the combined forces of local, State, and Federal enforcement agencies.

Solutions have been sought unsuccessfully by many parents and individuals. These fine people have banded together into many worthwhile organizations to fight this menace. Yet, the solution is nowhere in sight.

I introduced this bill in January of this year, which would grant an exception by permitting a person to mail a substance, suspected to be a dangerous drug, to a Government agency for analysis purposes only.

The bill requires that the person mailing the suspected contraband remain anonymous. As an example, he could select his own six digit number, insert it in an envelope along with the date.

After a reasonable period, perhaps 1 week, he would telephone the governmental agency, identify himself by this code number and the date and receive the analysis.

Unfortunately, there has developed recently a pattern of fear and lack of confidence on the part of many individuals in dealing with enforcement agencies. There is no question that such reactions are totally unjustified in the vast majority of cases, but nevertheless must be recognized.

Therefore, the element of anonymity is essential.

I realize, that should this bill be enacted, it would not be a total answer, but it is a step in the right direction.

It recognizes the drug crisis as a national problem. Hopefully, it will be the forerunner of other legislation which will give us the complete answer.

More importantly, should the bill serve as the means whereby even one of our cherished youths is saved from addiction it shall have been worth while.

In my opinion, the answer lies in a total national effort with the primary leadership supplied by the Congress.



Now, I am very happy that we have with us today my colleague, Congressman John Rousselot, from California. I am sure that Mr. Rousselot has some comments before we proceed.

Congressman ROUSSELOT. Chairman Dulski, members of the law enforcement agencies that have joined us here today, and people from the bench, I am very pleased to be here today and to join in this effort by Chairman Dulski.

He has initiated legislation that we are now considering before the Congress of the United States, to make a facility and to provide a vehicle whereby parents may have a constructive way of finding out by a sampling process and proper research and testing facility as to whether young people and their families, or their close families, are in any way involved in the use of drugs. Chairman Dulski has been very much in the forefront in Congress in demanding and working for constructive legislation in this field, even outside of his own jurisdiction of the Post Office and Civil Service Committee. So I am very, very pleased to be here in Buffalo and, as I said before, I am very pleased that the weather turned out to be almost like that of California.

Chairman DULSKI. Thank you very much, Congressman Rousselot.

The first witness we will have this afternoon is my very good friend, the Honorable John J. Honan, associate judge of the city court of Buffalo. He began his distinguished career as the top member of the district attorney's office. I know that his contribution will be valued by this committee.

Mr. GAUGHAN. Before proceeding, Judge Honan, would you identify yourself and would you give me your name and title for the record, please.

**STATEMENT OF HON. JOHN J. HONAN, ASSOCIATE JUDGE, CITY COURT OF BUFFALO, N.Y.**

Judge HONAN. Certainly. Chairman Dulski, Congressman Rousselot of California, gentlemen, my name is John Honan. I am an associate judge of the city court of the city of Buffalo. I have been an associate judge for a little more than 2 months. Prior to that time I was an assistant district attorney in District Attorney Michael Dillon's office in Erie County. Since January 1, 1964, I was the first assistant district attorney. Over and above that, I have been an attorney for approximately 20 years. I am married and I have five children. My youngest child is four and the oldest is 23. As a matter of fact, the oldest son is in the service and spent a couple of years in South Vietnam, but I have children of preschool age and the primary grades, high school, college, and out of college.

We have before us a problem that every one recognizes and in a concern to solve the problem, we always look to the wisdom and knowledge, wisdom of education in knowing what we are talking about.

There has existed in Erie County for some period of time several facilities. They can go to the laboratory of the Buffalo Police Department with a sample taken by a concerned parent, or the concern of anybody associated with any organization and have that sample analyzed.

Also involved in that very important problem is the fact that the U.S. mail prohibits the forwarding of any dangerous drug through the mail, a proper rule.



However, exceptions under most circumstances are needed to have proper rules.

We have a desire here on the part of a person with responsibility to learn if a substance, a foreign substance, is in fact a dangerous drug.

There is a further concern that most people, young and old, have a real desire to obey the law and they do not want to forward any materials through the mail even for proper purposes when they know and realize that that is a violation of our Federal laws. They would be glad if the Federal law would permit an exception and by "they," I am talking about more than parents; I am talking about leaders in scout organizations and I am talking about teachers, any one in association with the youth of today. They respect the youth and they know that the youth tomorrow will be the leaders in this country and they want them to have the same or greater opportunities than they had, so it is not merely a question of concerned parents, but it is concerned people who are associated with our youths in every activity today.

There are suspicions today that so many people are involved in dangerous drugs. It is a situation that did not exist when I was young; then we had other problems, and we find that we do not recognize or we do not have the knowledge or the wisdom to cope with this great problem, and it is difficult to even recognize the substance that we are concerned with. When we do recognize it, then there is a reluctance to physically take that material to the local police department for analysis.

When we have this analysis, I am sure that our minds are set at ease when we find that the foreign substance is not in any way associated with a dangerous drug but, on the other hand, if it should be recognized and if in truth and in fact it is a dangerous drug, then we would seek community help, psychiatric care or any other help that would provide our youths with the same opportunity or greater opportunities than we had.

I do strongly recommend and support your bill, Chairman Dulski. I do strongly suggest that that would give us additional knowledge and with that knowledge and that additional wisdom, that we could resolve the controversy, and that we could do this in the proper mode. I think that the youth of today recognize our concern and our desire not to seek publicity for them or against them, but to find out first hand what is a fact, and with the knowledge of that fact, the existence of how to cope with it.

Thank you very much for the opportunity to express my thinking in my capacity and in my former capacity. I trust that this committee, as a member associated with law enforcement officers throughout the years, will know that these problems are not created by law enforcement officers or law enforcement agencies, but they have a desire to help the youth.

We all have a desire and a concern for them. Thank you very much.

Mr. GAUGHAN. Judge Honan, thank you for being with us. Before you leave, I would like to first ask you a couple of questions. I neglected to state that I extend to you a very sincere welcome here this afternoon, and we appreciate your taking time off from a busy court calendar to come here. We recognize, of course, that yours has been a long and distinguished and esteemed career in law enforcement and at the bar.



Judge, in your opinion, should the drug user, the illegal drug user, be treated as a criminal? Should addiction be treated as a disease, and should it be in the province of the law enforcement agencies or should it belong in the area of the social worker?

Judge HONAN. I believe we cover a large area there. No. 1, it should be a crime for a person who uses drugs to also use our highways, and they can't be excused under those circumstances.

On the other hand, it is common knowledge that so much of the addiction, so much of the habit, was acquired over in South Vietnam; it developed there and they learned it there and brought it back here. These parents today gave to the Government healthy, mentally and physically, young people when they went in the service and they come back, some of them, with habits and some of them with addiction. That is a social problem.

They try to find the first opportunity that they have to control that after they served in the Armed Forces and they should not be incarcerated as a criminal. If they developed that habit of addiction in the service, I think they should have opportunity to be committed on a social basis, and they are not criminals.

Mr. GAUGHAN. Judge, I just have one additional question. During the course of this morning's testimony, we had some interesting statements made concerning the subject of marihuana and I would like to put the question specifically to you: Do you agree with the statement that marihuana should be legalized?

Judge HONAN. It is my statement that it should not be legalized. I do not think it should be a crime. I think there are civil remedies for these matters and I think there should be rather stringent laws for activities where there are great quantities of marihuana involved, and not just an occasional use.

I don't think we should have people bringing in excessive amounts of marihuana as a business to just encourage or to degrade the frailties of human beings, not only the adults, but with the children, and I think there should be strict laws insofar as marihuana and the bulk aspect of it are concerned.

Mr. GAUGHAN. Specifically, Judge, do I understand your testimony here this afternoon to be that you agree with this bill proposed by Chairman Dulski and that you feel it is one additional piece of armament for those people concerned with fighting drugs?

Judge HONAN. Yes. I think it is well thought out and it will provide the community with additional knowledge and will give all of us the wisdom to resolve a very serious problem, yes.

Mr. GAUGHAN. Thank you, Judge; that is all from me at the moment, Mr. Chairman.

Chairman DULSKI. Mr. Rousselot.

Congressman ROUSSELOT. Judge Honan, I was very much interested in your comments, being a former law-enforcement agent yourself, in the comment that you felt that marihuana should not be legalized, but that there should be a distinction made in the degree of use of marihuana.

You seem to give, if I interpret your answer correctly, heavy emphasis to the fact that those who sell or push marihuana should suffer more severe penalties if they can be convicted on that basis?

Judge HONAN. Certainly.



Congressman ROUSSELOT. You are saying then that those who may have been just one time or two time or three time users of marihuana and maybe in the mildest case do not understand the full consequences of what they are getting into. Have I basically interpreted your statement?

Judge HONAN. Yes.

Congressman ROUSSELOT. So that really what you are saying is that the pusher or the seller of marihuana, the penalty should remain maybe in the felonious category, whereas the penalty for the occasional user, the one time, or two time, or three time user of marihuana, should remain in the misdemeanor category?

Judge HONAN. Even less than the misdemeanor category. A year in jail, that is a long time. Yet get a violation and you get 15 days in jail. I think as far as marihuana is concerned, I would not want to classify it as a crime and by that, I mean a misdemeanor or felony.

Congressman ROUSSELOT. In the case of use?

Judge HONAN. Yes. We term it a violation but in the major aspects of it, I am sure that you gentlemen realize that there are professional criminals; we term them organized criminals that are involved in dangerous drugs in all facets and they do make a living on it and they are a bunch of wise guys and they should be severely penalized. They should be severely penalized, yes.

Congressman ROUSSELOT. That is a very good point. Since you have been in the field of law enforcement, I have a series of 11 questions that I would like to submit for your consideration, and I would appreciate whatever degree of answers you could give us in writing.

Judge HONAN. Certainly. I would be pleased to do it and I will respond.

Congressman ROUSSELOT. Thank you. There is another question I would like to ask of you since you have also, prior to your present position on the bench, been involved in law enforcement. Do you believe if this bill calls for either Federal, State, or local law enforcement agencies to be the major recipients of these kinds of inquiries, received by mail, sent in samples, that they have the laboratory facilities in most cases adequate enough to give relatively prompt and accurate reports to these anonymous inquiries? Do you think that they are adequate enough to do that job?

Judge HONAN. I think they have the bare minimum of adequacy. Insofar as the local laboratories are concerned, we have two specific branches here, one in the sheriff's department and one in the Buffalo Police Department. I have long advocated a laboratory for the county law enforcement agency and we have approximately 30 different law enforcement agencies within our county of Erie here, and I think that the county should have one laboratory perhaps comprising the sheriff and the Buffalo Police Department and be responsible for the entire county, and I think under those circumstances, it would be adequate, but right now, as to the State and local, they have the bare minimum facilities and although they are capable, they need to be economically assisted to update them.

Congressman ROUSSELOT. We have had some testimony here today from the prevention and rehabilitation side of the issue, people who felt that because the inquiries would have to be addressed to a law enforcement agency, that unless we provided additional laboratory



facilities, say, a college laboratory of some type, as an additional place where people could mail these in, many of the people among the so-called drug culture and their parents, might have a hesitancy because of a mental block, or psychological effect of mailing to a law enforcement agency. They indicated a preference to have some research source as a depository because they consider it to be less copartisan and, I don't know what that means, or more objective, supposedly. Do you think that is a fair suggestion or concern?

Judge HONAN. No, I don't think it is a fair suggestion or a realistic concern. There are so few people that would actually think that way. Now, you can discount them. They would be opposed to a college laboratory if you had a college laboratory doing it. They would oppose the location of it. They would rush to oppose whatever agency you select. They would oppose the location of it. They would oppose colleges or universities. The group that would be opposed to it, I would have to believe they are opposed to everything.

Congressman ROUSSELOT. Again, this is a hesitancy factor—and it is not just opposition to it, a hesitancy factor to use the vehicle of mailing, not because they would feel there would not be an objective analysis. Do you share that concern?

Judge HONAN. No. I would think that is the realistic concern.

Congressman ROUSSELOT. Thank you very much, Mr. Chairman, that is all the questions I have.

Chairman DULSKI. Mr. Gaughan.

Mr. GAUGHAN. Mr. Chairman, I would ask your indulgence and that of the people here in the courtroom, to ask that the courtroom be cleared just momentarily of people and spectators because we are going to bring in three witnesses who will be testifying anonymously. These are parents who are all concerned with this monstrous thing of drug addiction, and they prefer not to be seen as they come into the courtroom. They do not mind being heard, so if you will leave the room, these witnesses will come in.

Congressman DULSKI. Mr. Gaughan, would you see that the courtroom is cleared. We will call you all back in just a moment. As to the cameramen, we have an agreement that all photographs will be taken from the rear.

Mr. GAUGHAN. Right. They will all be taken from the rear of the room.

(Whereupon, the courtroom was cleared of spectators and news media while three adult individuals seated themselves at the witness table.)

Chairman DULSKI. First of all, I want to say to you how much I appreciate your coming forward like this to tell us your own stories. I want to thank you on behalf of the entire committee. I recognize completely the anguish that you and your families must have gone through. What you are doing here today is a great community service and I realize it is also at great personal sacrifice. Your experiences as I understand them, probably typify the experience of literally thousands, if not hundreds of thousands of parents throughout this country.

There is no doubt in my mind that the recitation of your own painful personal experiences will be helpful to all the parents of our



young people and hopefully will encourage them to educate themselves so that they may be of assistance to their children.

We must educate ourselves in order to educate our children. Prevention seems to be our only hope in dealing effectively with the problem of drug abuse.

Congressman Rousselot.

Congressman ROUSSELOT. Thank you for being here today. The Congress is very much appreciative of your willingness to come forward. It is always difficult to talk about anything which is as tragic as what you have been through. We are grateful for your willingness to come and put it on the line and tell us what some of these basic problems are and maybe how Congressman Dulski's bill can be helpful to provide a channel so that people can avoid some of the tragedies that you have been through. Therefore, we are very grateful for your help.

Mr. GAUGHAN. Mr. Chairman, before proceeding, for the record, I am going to identify the witnesses simply as, starting with the woman on my left, "Jane A," and the next person as "Emily B," and the third person as "Tom C."

The other gentleman at the witness table, will you identify yourself, please?

Chief TUTTOLOMONDO. Yes, sir. I am Chief Joseph A. Tuttolomondo, chief of the Narcotics Bureau for the Erie County Sheriff's Department.

Mr. GAUGHAN. I, likewise, on behalf of the committee and myself, want to thank you people, because I know the great anguish that you went through with the young folks in your own households. We appreciate the fact that your coming here today is not easy, and that it would be simpler for you to keep it in your own home, close it behind your own door, and not tell anybody about it.

You could have elected not to share your experience with others and let others fend for themselves.

I know from having talked to these people, Mr. Chairman and Mr. Rousselot, that they went through a lot of soul searching before agreeing to come here today. Some of them are still in the midst of their problem. They are quite fearful that anything they might say or might do could possibly compromise their boy or girl and might end all the long months and, in the case of the gentleman, Tom C, years of attempting to solve this terrible, terrible problem of drug addiction. So, we know what you have gone through and we appreciate your being here today. We are grateful from the bottom of our hearts.

I know that no matter what we say, or what we do, it will not have anywhere near the impact as the actual experience of you parents who have lived through it.

I am going to start with you, Jane, and I am going to direct my questions completely to you at first because I know you have a time element, and you must be on your way.

So, first of all, Jane, may I ask what is your occupation?

#### STATEMENT OF JANE "A"

JANE A. I am a housewife.

Mr. GAUGHAN. Would you take the microphone and hold it closer to yourself and speak into the microphone so that we can all hear you. You said that you are a housewife?



JANE A. Yes.

Mr. GAUGHAN. And your husband, what is his occupation?

JANE A. He is a manager in the aerospace industry.

Mr. GAUGHAN. A manager?

JANE A. Yes.

Mr. GAUGHAN. How many children do you have?

JANE A. We have two.

Mr. GAUGHAN. How old are they?

JANE A. Our daughter is 17 and our son is 18.

Mr. GAUGHAN. And has there ever been any history of the use of drugs in your family prior to this incident?

JANE A. No.

Mr. GAUGHAN. And is it your son that is involved?

JANE A. Yes.

Mr. GAUGHAN. He is now 18?

JANE A. Yes.

Mr. GAUGHAN. Prior to the time of becoming involved with drugs, could you describe for the committee the type of boy he was. Just give us in your own words a description of the boy prior to the time of his involvement?

JANE A. Prior to his involvement, he was what I would say an average teenage boy, getting on well, no disciplinary problems at all, loves music, likes to be with people, a pretty average kid.

Mr. GAUGHAN. There was no real disciplinary problem at all?

JANE A. Not prior to the drug involvement.

Mr. GAUGHAN. A happy, well-adjusted boy?

JANE A. Yes.

Mr. GAUGHAN. Enjoyed being with people?

JANE A. Yes.

Mr. GAUGHAN. He enjoyed his family?

JANE A. Yes.

Mr. GAUGHAN. And there came a time, apparently, when you became aware of something being wrong with this boy?

JANE A. Yes.

Mr. GAUGHAN. Would you just go back to that time, to that moment, when you first found out about it, or when it first came to your attention?

JANE A. Well, for a period of 6 months before we found out about the drug involvement, it started out as a disciplinary problem. He was very austere and rebellious and we couldn't quite put our finger on it and as we look back, after his drug charge, we could pretty well see what it came from.

Mr. GAUGHAN. How were you first aware or what made you first suspect it was drugs?

JANE A. We suspected because I, at one time, found a yellow marihuana paper that he left in his wallet on the kitchen table.

Mr. GAUGHAN. How did you know it was marihuana paper?

JANE A. A friend of mine had shown me what a marihuana paper looked like.

Mr. GAUGHAN. When you saw this paper, did you confront the boy with it?

JANE A. Yes; and he told me he was just carrying it as sort of a little keepsake.

Mr. GAUGHAN. And then what happened?



JANE A. Then his behavior went down steadily from that time.

Mr. GAUGHAN. Did you ever find any other suspected substance?

JANE A. We never did find a substance, but we did find out when he was arrested on a drug charge.

Mr. GAUGHAN. He was arrested?

JANE A. Yes.

Mr. GAUGHAN. You were at home when you received a call from the police?

JANE A. No. He was arrested at work and we heard through a friend of his.

Mr. GAUGHAN. And then what did you and your husband do?

JANE A. My husband went downtown to where he was held.

Mr. GAUGHAN. And you got him out of jail?

JANE A. Yes. Well, that night he was arraigned and bailed.

Mr. GAUGHAN. What was the specific charge for which he was arrested?

JANE A. Possession and sale of LSD.

Mr. GAUGHAN. After you brought him home, did you discuss this matter with him?

JANE A. Yes; we did.

Mr. GAUGHAN. Did you ask him why he had it on him? What he was doing with it?

JANE A. At first we got nowhere. He said there was nothing to it. We pursued the matter and finally got to the bottom of it.

Mr. GAUGHAN. Did he tell you he was using LSD?

JANE A. He was not using it.

Mr. GAUGHAN. He was selling it?

JANE A. He sold it.

Mr. GAUGHAN. What sort of drug was he using himself?

JANE A. I believe it to be pot.

Mr. GAUGHAN. You think he was on pot?

JANE A. Yes.

Mr. GAUGHAN. But he has never told you?

JANE A. No.

Mr. GAUGHAN. And after the incident of the arrest, what occurred then?

JANE A. For a period of about 3 months, we went through the various legal processes, hearings, preliminary hearings and, finally, the sentence.

Mr. GAUGHAN. What was the sentence in this case?

JANE A. He is on 1 year probation. The charges were reduced.

Mr. GAUGHAN. Is he still participating in the drug culture, to your knowledge?

JANE A. No; he is not.

Mr. GAUGHAN. Does he claim that marihuana is all right? Does he think it is all right to smoke it?

JANE A. No longer.

Mr. GAUGHAN. He does not feel that way anymore?

JANE A. No.

Mr. GAUGHAN. Is he now in school?

JANE A. He is out of school now.

Mr. GAUGHAN. Has he got a job?

JANE A. Yes.



Mr. GAUGHAN. In other words, apparently the boy has adjusted himself?

JANE A. Yes.

Mr. GAUGHAN. Specifically, I would like to ask you a question concerning Chairman Dulski's bill, which I know you have read. Do you think, as a concerned parent, a parent who is probably much more aware of drugs than the average parent, that this is a good bill?

JANE A. I think this is an excellent bill. I think, as a parent, we need all the help we can get with the drug problem.

Mr. GAUGHAN. In other words, if you had found a substance that you might have suspected, you would not have known what to do with it at that time?

JANE A. No, I wouldn't.

Mr. GAUGHAN. You knew of no place where you could have taken it to have it tested, or informed yourself about it?

JANE A. That is right.

Mr. GAUGHAN. Now, I know that you have to be at the airport and we will try to see that you make it on time.

Chairman DULSKI. I do not have any questions. Mr. Rousselot?

Congressman ROUSSELOT. Jane A, could you tell us in a little more detail why you believe this bill that you have read might have provided an aid to you as a parent in coming to grips earlier with the problem of drugs? Since we have not been through the kind of experience you have had, please tell us how this kind of a vehicle might have been more helpful to you?

JANE A. Well, had my friend not shown me what the marihuana paper looked like, I wouldn't have known. This would be a place where I could mail it and have it analyzed and find out more about it. If I found a substance, say a tablet or something which I thought to be marihuana, I would like some place to have it analyzed and I think this would be very helpful.

Congressman ROUSSELOT. Do you think that had you known of the willingness of the law enforcement agency to receive this kind of thing that you would have taken it in? Would you have turned it in? Would you have mailed it in?

JANE A. I would be very reluctant to go in person. I would be much more willing to mail it in. I would prefer to remain anonymous.

Congressman ROUSSELOT. In other words, anonymity would have been helpful to you at that time and place in this experience. Is that correct?

JANE A. Very definitely, yes.

Congressman ROUSSELOT. Could you give us a little more of the reasoning why that is true, because I think it is hard for people to understand when you come into this experience why anonymity is a factor in your elements of what you do as a parent?

JANE A. Well, I would be very reluctant to take an illegal drug myself on my person to have it analyzed, because I would risk being arrested myself, and if you are in a suburban area, you are very apt to be recognized by the police, so that would be another thing.

Congressman ROUSSELOT. That would be another factor?

JANE A. Yes.

Congressman ROUSSELOT. Thank You.



Mr. GAUGHAN. Thank you, madam. We will now excuse you. Tom, would you take the microphone, please?

The next witness who will be testifying this afternoon we will refer to as "Tom C."

# STATEMENT OF TOM "C"

Mr. GAUGHAN. Tom, are you presently employed?

TOM C. Yes.

Mr. GAUGHAN. What is your occupation?

TOM C. I am a merchant.

Mr. GAUGHAN. Do you have children other than the person in question?

TOM C. Yes.

Mr. GAUGHAN. How many children do you have?

TOM C. Eight.

Mr. GAUGHAN. And what is the division as to boys and girls?

TOM C. Six boys and two girls.

Mr. GAUGHAN. And is it a boy or a girl we are going to be discussing this afternoon?

TOM C. A girl.

Mr. GAUGHAN. How old is she now?

TOM C. Twenty-eight.

Mr. GAUGHAN. Twenty-eight years old?

TOM C. Twenty-nine. I am sorry.

Mr. GAUGHAN. How old was she when she became involved with drugs?

TOM C. Thirteen.

Mr. GAUGHAN. Thirteen years old?

TOM C. Yes.

Mr. GAUGHAN. And you live somewhere in the suburban area around here. You don't have to identify it.

TOM C. Yes.

Mr. GAUGHAN. You have your own home?

TOM C. Yes.

Mr. GAUGHAN. All your children except those who are married live with you?

TOM C. Yes.

Mr. GAUGHAN. Do you lead a normal average life, you and your family?

TOM C. Yes.

Mr. GAUGHAN. This young lady that we are talking about whom we will, for the record, call "Helen," would you tell the committee how you first became aware of her habit.

TOM C. It was a long time ago, and it was over a period of years; she was stealing and getting involved with different people, stealing money, and I caught her with pills already myself.

Mr. GAUGHAN. You first became aware of it when you learned she was taking money and jewelry from girl friends?

TOM C. Yes.

Mr. GAUGHAN. And selling it?

TOM C. Yes.

Mr. GAUGHAN. To support her habit?

TOM C. Yes.

Mr. GAUGHAN. She was then taking pills?



TOM C. Yes.

MR. GAUGHAN. Then, did there come a time when you had her arrested?

TOM C. Three or four times.

MR. GAUGHAN. Three or four times?

TOM C. Yes.

MR. GAUGHAN. Did she start taking up with bad company?

TOM C. Yes, she did.

MR. GAUGHAN. Did she become a narcotic user?

TOM C. Yes.

MR. GAUGHAN. What kind of narcotics was she involved with?

TOM C. Well, she was using all kinds of pills, darvon; you name them, she was using them. I just can't remember them all, there were so many.

MR. GAUGHAN. She took anything she could get her hands on?

TOM C. She took anything she could get her hands on.

MR. GAUGHAN. And is this a girl who was, prior to the time she became involved in drugs, of average intelligence?

TOM C. Yes.

MR. GAUGHAN. How would you describe her appearance?

TOM C. A very quiet, nice girl.

MR. GAUGHAN. I mean, her physical appearance?

TOM C. Beautiful.

MR. GAUGHAN. I was quite impressed by the fact that you said that she was an unusually beautiful girl.

TOM C. She was a very pretty girl, yes.

MR. TUTTOLOMONDO. Meticulous in dressing, mannerism, and she carried herself very well.

MR. GAUGHAN. A very impressive looking girl?

TOM C. Yes.

MR. GAUGHAN. There came a time when this young lady was involved with a young man. As I understand it one night, she called you on the telephone. She was no longer living at home?

TOM C. She kept running away.

MR. GAUGHAN. So one night she called you at home at about 9 o'clock at night?

TOM C. Yes.

MR. GAUGHAN. What did she say on the telephone?

TOM C. Well, she said her friend——

MR. GAUGHAN. Her boy friend?

TOM C. Her boy friend had a gun and she asked if I would come down and take it away from him, because he would give it to me. Do you want me to tell you what I told her?

MR. GAUGHAN. Yes.

TOM C. I told her, "If he shoots you, I will give him \$5,000" and he can buy all the stuff he needs.

MR. GAUGHAN. At that time, were you so upset about what this girl had done?

TOM C. Yes.

MR. GAUGHAN. You thought she would be better off dead?

TOM C. Oh, yes; definitely, definitely, definitely.

MR. GAUGHAN. You were offering this man \$5,000 to kill her?

TOM C. Yes, I did.



Mr. GAUGHAN. Incidentally, was there a time when you yourself thought of killing this girl?

TOM C. Oh, yes. Myself?

Mr. GAUGHAN. Yes.

TOM C. Yes. Please. It is a miracle she is here.

Mr. GAUGHAN. Because you felt yourself that this girl would be better off dead?

TOM C. Yes.

Mr. GAUGHAN. Rather than the road she was going down?

TOM C. Yes. I put a gun right in her mouth once, put it down her throat and cocked it.

Mr. GAUGHAN. You were that close?

TOM C. Yes; to killing her. No one would give her any help.

Mr. GAUGHAN. You were at a loss for what to do?

TOM C. I took her to the Meyer Hospital five times and they turned her away, and this goes over a period of 10 years, 12 years, 15 years. She burned the house down.

Mr. GAUGHAN. She had been missing for how long this time?

TOM C. Two or 3 weeks.

Mr. GAUGHAN. While under the influence of drugs, she burned the house down.

TOM C. She was so drugged up, she couldn't stand it.

Mr. GAUGHAN. On the night, she was with this young man on drugs and she called you on the telephone to ask you to come down and take his gun away, you told her you hoped he would shoot her. Did you go down?

TOM C. No.

Mr. GAUGHAN. What happened?

TOM C. She said she was scared about him shooting her, she was scared of killing him because if he pulled his gun on her, she would kill him.

Mr. GAUGHAN. Why, because she was scared?

TOM C. She carried a knife.

Mr. GAUGHAN. Did she use that knife?

TOM C. Without a doubt, she would have used it.

Mr. GAUGHAN. The next morning you picked up the newspaper and what did you read?

TOM C. He killed a policeman.

Mr. GAUGHAN. He killed a policeman that night?

TOM C. Yes.

Mr. GAUGHAN. If I understand it correctly, this policeman that accused him was with another policeman?

TOM C. Yes.

Mr. GAUGHAN. Then what happened?

TOM C. He tried to kill him, too.

Mr. GAUGHAN. He hit the other policeman, did he?

TOM C. Yes, he did. Shot him in the heart, yes.

Mr. GAUGHAN. This young man was under the influence of drugs at the time?

TOM C. Yes. He was real sick.

Mr. GAUGHAN. And your daughter was under the influence of drugs at the time?

TOM C. Yes.



Mr. GAUGHAN. Now, just to take this case a step further, could you identify the kind of drugs involved? Were they all hard drugs?

TOM C. He was taking heroin.

Mr. GAUGHAN. He was taking heroin?

TOM C. Yes; main lining and she was taking pills at the time.

Chief TUTTOLOMONDO. The nature of her pills were narcotic pills and also barbiturates.

TOM C. Yes.

Mr. GAUGHAN. Is this young man still living?

TOM C. No. He is dead. He was killed in the Attica riots.

Mr. GAUGHAN. There were other incidents with your daughter. I understand that on one occasion, you went to some house where she was with an elderly man?

TOM C. She was with a man about 80 years old, living with him.

Mr. GAUGHAN. She was living with an 80-year-old man?

TOM C. Yes. She had no clothes on, naked.

Mr. GAUGHAN. She was naked when you got there?

TOM C. Yes, she was naked, and that is when I almost killed her. I called the police and they couldn't do anything about it.

Mr. GAUGHAN. She was under the influence of drugs?

TOM C. She was under the influence of drugs.

Chairman DULSKI. Did they explain why they couldn't do anything?

TOM C. They couldn't do anything about it. Everytime I took her to the city hospital, they turned her away.

Mr. GAUGHAN. On another occasion, did you find her in the company of three other men?

TOM C. Yes, three men.

Mr. GAUGHAN. She was in the company of three men?

TOM C. Yes; living with them, pregnant.

Mr. GAUGHAN. Pregnant by one of them?

TOM C. Yes.

Mr. GAUGHAN. Did she have the baby?

TOM C. Yes.

Mr. GAUGHAN. Does she still have the baby?

TOM C. No. She spit on the baby and walked out of the hospital.

Mr. GAUGHAN. Prior to the time that she became involved in drugs, do I understand you to say that she was a normal, ordinary girl?

TOM C. The nicest girl you ever met in your life.

Mr. GAUGHAN. Beautiful?

TOM C. Beautiful.

Mr. GAUGHAN. A girl you deeply loved?

TOM C. I always thought she was my baby. I had eight of them and I loved them all. She still is. I mean, I gave up on her—no; I didn't give up on her.

Mr. GAUGHAN. I know you haven't given up.

Chief TUTTOLOMONDO. I can attest to that; he never gave up on her.

TOM C. I went through hell. The only person that actually helped me when I got really desperate was Mike Amico. I went to his office screaming; I was out of my mind, and he was the only person that actually helped me. There was another killing, too.

Mr. GAUGHAN. I was going to bring that point up. Would you tell us about the second occasion when she was involved in a killing?



TOM C. Well, she knew about it. I don't know if she was actually involved in it.

MR. GAUGHAN. She was living with a young man?

TOM C. No. She was married to him. She wanted to straighten her life out and she straightened it out for 3 weeks. I spent \$2,000 on furniture to try to help them out and he went to work and she went to work. They worked, I guess, for 2 or 3 days. The next week he robbed a place where she worked and took \$100 and he went out and killed an old man the next night.

MR. GAUGHAN. They entered a house in Elma?

TOM C. Yes.

MR. GAUGHAN. It was an old man and an old woman, if I am correct?

TOM C. Yes.

MR. GAUGHAN. They tortured the old man?

TOM C. Yes.

MR. GAUGHAN. They held his face over a fire?

TOM C. Yes.

MR. GAUGHAN. And tried to get him to tell where the money was?

TOM C. Yes.

MR. GAUGHAN. And eventually he killed him?

TOM C. Yes.

Chief TUTTOLOMONDO. They also tortured his wife?

MR. GAUGHAN. They tortured the old woman, his wife?

TOM C. Yes. They were all on junk.

MR. GAUGHAN. They were all high on drugs?

TOM C. Yes.

MR. GAUGHAN. Where is the young man today?

TOM C. He is in Attica.

MR. GAUGHAN. Doing life?

TOM C. Twenty years to life.

MR. GAUGHAN. Tom, would it be correct to say that once this girl got on drugs, her personality changed and her disposition changed?

TOM C. Since she got on drugs.

MR. GAUGHAN. After she got on drugs?

TOM C. Oh, yes.

MR. GAUGHAN. She became aggressive and violent?

TOM C. Oh, terrible. You wouldn't stand a chance; I know anybody in here wouldn't.

MR. GAUGHAN. Would she kill anybody?

TOM C. Without a doubt. I don't know, now she seems to be pretty good.

MR. GAUGHAN. Was there a time when she was confined to the New York City Sanitarium for the treatment of drugs for about 3 years?

TOM C. Yes.

MR. GAUGHAN. And were they able to help her there?

TOM C. Well, no. She claims no. They sent her to New York and something happened after this. I think it was the second killing, after the second killing, that I went down with Sheriff Mike Amico and I kind of screamed, "You have got to do something," because everytime I took her to the hospital, they wouldn't help me. I took her there four or five times and they promised they were going to do something. The next day I would go to see her and she was out.



Mr. GAUGHAN. You would tell the hospital to not leave her go?

Tom C. Yes; and they let her go.

Mr. GAUGHAN. One night did you drive to the hospital, I believe, in the company of Chief Tuttolomondo?

Tom C. This is it. This is the night. I can't forget that night because, I remember, the sheriff's daughter was getting married.

Mr. GAUGHAN. Sheriff Amico's daughter was getting married?

Tom C. She was getting married and they had a wedding party that night. He says, Sheriff Amico says, "I will help you, Tom." I said, "Let's please do something with her." They carried her into the hospital.

Mr. GAUGHAN. They carried her into the hospital?

Tom C. Yes; and the hospital would not accept her.

Chief TUTTOLOMONDO. Sir, we went to that address where she was living with that old man. She was there alone, and with Tom and in the company of Sheriff Amico, we went to the Meyer Memorial Hospital.

Tom C. We went to the Meyer Memorial Hospital and, I don't know, the doctor said he was going to help me and she started to come out of it. When she started to come out of it, he came out and I guess he must have thought I wanted to get rid of her, and the doctor would not accept her, and wouldn't do anything.

Chief TUTTOLOMONDO. In fact, the sheriff got into some sort of heated argument with the doctor.

Tom C. Sheriff Amico wanted the doctor to leave her there overnight, until we could get her in front of a judge to get her certified.

Chief TUTTOLOMONDO. The sheriff suggested section 75.3 of the mental hygiene law, which is usually a mandatory 10-day period to determine whether or not there is a psychiatric problem with the individual, and the doctor refused. We called several other agencies and we were told that the earliest they could do anything was when court convened that morning at 9 o'clock when she would be committed to a rehabilitation center. From that period, which was late in the evening, until 9 o'clock that morning there was no facility whatsoever available to us, or to Tom or his daughter.

Mr. GAUGHAN. So now it is late at night and you have this young lady who is deep into a drug state, and the hospital refused to admit her and you have nowhere to go with her, so what did you do then?

Tom C. I took her to my mother's house, my mother who lives across the street from me. I took her there and I handcuffed her to the bed.

Mr. GAUGHAN. You took her to your mother's house and, as I understand it, Chief Tuttolomondo, you had to loan your handcuffs to Tom so that he could handcuff his daughter to the bed because she was in such a state that she would do harm to herself and others?

Chief TUTTOLOMONDO. Yes.

Tom C. Yes; I couldn't take her home because I was scared of the baby and the house.

Chief TUTTOLOMONDO. We sat up with her half the night trying to keep Tom company; trying to relieve him a little bit. The following morning, immediately after the court opened, we half-carried her into the courtroom and she was then sent to the rehabilitation center.

Mr. GAUGHAN. That was when she was committed?

Chief TUTTOLOMONDO. Yes.



Mr. GAUGHAN. Incidentally, Mr. Chairman and Congressman Roussetot, I would just like to make mention of the fact that every weekend while she was committed to the New York City Sanitarium, Tom would drive down to New York City by himself and visit her.

TOM C. Until they broke away. They burned the place down and ran away.

Mr. GAUGHAN. They burned the place and broke out?

TOM C. Yes; she was getting drugs there.

Mr. GAUGHAN. She was getting drugs there?

TOM C. Yes.

Mr. GAUGHAN. How is your young lady now?

TOM C. Oh, pretty good.

Mr. GAUGHAN. As we say, are you knocking on wood?

TOM C. Oh, yes. It is 3 years now, 2½ years, she has been pretty good.

Mr. GAUGHAN. For 2½ or 3 years she has been pretty good?

TOM C. Yes; she is pregnant. She has had a baby. She is living with somebody, but that is all right as long as he is working and I hope to get them married as soon as I can get her divorce through.

Chief TUTTOLOMONDO. Tom, would you comment on what happened after she escaped from the hospital or the rehabilitation center in New York?

TOM C. We brought her back and the sheriff, I went to Sheriff Mike Amico, and I got her into Albion, the Albion Reception Center, and when we got her out there, that seemed to help her quite a bit. Because, I asked her the other day as a matter of fact, I asked her yesterday when I went there, I asked her how she has been and I asked her when she quit and she told me, she said when she came home from there.

Mr. GAUGHAN. Tom, is it fair to say that all these horrifying experiences that this young woman has lived through and all the torture that you have lived through are all connected with drugs?

TOM C. Oh, without a doubt, yes, definitely, definitely, drugs, definitely, and she would have still been on the street, maybe dead by now, if it wasn't for Mike Amico, I will tell you right now.

Mr. GAUGHAN. That is quite an accolade to the sheriff.

TOM C. Yes. I know what he has been doing for years.

Mr. GAUGHAN. Tom, thank you for the moment.

Mr. Chairman.

Chairman DULSKI. Tom, I do not think there are enough words to express the gratitude we have, and I think that, as the father of five children, I can appreciate your frustration; the pain and the agony you have suffered. I know the love that you have for your daughter. If the bill which I have introduced, can prevent any of these horrifying experiences, the horrifying experiences which we have heard about, I am sure you agree, will be well worth it. Thank you very much.

TOM C. You are welcome.

Congressman ROUSSELOT. I don't want to put you through any more agony than you have already been through, but I would like to know if we could have the sheriff submit some detailed information on this Albion Reception Center, or whatever it is.

TOM C. They went and closed it up.

Congressman ROUSSELOT. Well, we would like to know all the things



they did through these number of years to be able to help her out and the steps they took in helping her back on the high road. We certainly owe a debt of gratitude to the sheriff for leading this girl in the right direction, and we would certainly be interested in knowing what treatment she received.

I would like to ask you this question since we are here today to talk about a specific piece of legislation even though, as Chairman Dulski himself has said, it is only one step to be helpful to parents. Can you comment for us whether you feel that if this legislation that is before us had been adopted by the Congress and put on the books when this girl was 13 years old, if at any point you had become suspicious, do you think you would have used such a vehicle?

TOM C. Yes.

Congressman ROUSSELOT. Could you describe how and so forth?

TOM C. I would have come forward. I would have come forward and I would have asked for help, which I have done. They have got to have help when they are on dope, because I think there are too many kids on dope today, and it is a shame because they are real nice kids. I am so sorry. This other kid was a nice kid, too, who killed that policeman.

MR. GAUGHAN. Do you think if his parents had some vehicle, some way of determining whether he was or was not on drugs, at that stage it might have been possible to save him?

TOM C. Yes.

MR. GAUGHAN. Let me join Chairman Dulski in saying that we are grateful for your persistence, your willingness. I know that when it is one of your own children, obviously the feeling is one of love and wanting to be helpful but you don't always know how to do it. We are grateful for your willingness to come forward and again go through this miserable experience. We hope that in some way it will shake some people up so that their children will not get started on the very disastrous course your daughter has been on. We are grateful to you for coming.

TOM C. I think the parents should know. They don't know anything. They don't know what they can do about it. Every day there are eight or 10 or 15 kids arrested and every day those kids are on the street again with no help but just charges against them.

MR. GAUGHAN. Do you believe that marihuana should be legalized?

TOM C. Please. I don't even want to talk about legalizing marihuana. Marihuana is the start.

MR. GAUGHAN. Marihuana is the start?

TOM C. A start, believe me, it is a start and I can prove that any day in the week.

MR. GAUGHAN. Thank you very much for your testimony.

TOM C. Thank you.

#### STATEMENT OF EMILY "B"

MR. GAUGHAN. Emily, I am going to ask you a few questions. Are you married?

EMILY B. Yes.

MR. GAUGHAN. And your husband, how is he employed?

EMILY B. As a food distributor. He is a food distributor.



Mr. GAUGHAN. Are you employed yourself?

EMILY B. I am a housewife.

Mr. GAUGHAN. How many children do you have?

EMILY B. Three.

Mr. GAUGHAN. And how are they divided as to boys and girls?

EMILY B. Two girls and one boy.

Mr. GAUGHAN. And who was involved with drugs, a boy or girl?

EMILY B. The one boy and one of the girls.

Mr. GAUGHAN. First let me ask you, how was this boy prior to the time of his becoming involved in drugs? Did he have an easy going personality and was he a well adjusted boy?

EMILY B. Yes; he was a very pleasant boy, a very intelligent boy.

Mr. GAUGHAN. He had the usual interests and hobbies?

EMILY B. Yes; a very normal teenager.

Mr. GAUGHAN. How old is the boy now?

EMILY B. Twenty-one.

Mr. GAUGHAN. How was he in school, did he have normal grades?

EMILY B. Yes; normal grades.

Mr. GAUGHAN. Did there come a time when you noticed a change in his disposition and attitude?

EMILY B. Oh, yes. I noticed, when he was about 17, I noticed there was a definite change in his attitude toward his parents and his sister.

Mr. GAUGHAN. When this occurred, you didn't know at that time he was on drugs?

EMILY B. No; I didn't know that.

Mr. GAUGHAN. How did you first become aware that he was using drugs? Just take your time.

EMILY B. I had found some seeds in his bedroom and I had, of course, read about this in books and newspapers and so forth, because the drug problem was getting out of hand, so naturally I was interested, having children of my own.

Mr. GAUGHAN. When you found the seeds, did you feel that you didn't know what to do with them?

EMILY B. I didn't know what to do. I didn't know who to turn to; what to do, or who to see, whether to confront the boy with this. I just didn't know what to do, so finally I did call the sheriff's department, and they said it would be all right for me to come up there with what I had found and, fortunately, I think that I was very fortunate that Sheriff Amico referred me to speak with Chief Tuttolomondo, and I had a great deal of confidence in him because he has helped me a great deal, and he tested whatever it was and said that it was definitely pot or grass, that they call it. From there on in, I believe he kept on using it. There was nothing I could do about it.

Mr. GAUGHAN. Did you confront the boy with your knowledge?

EMILY B. Yes.

Mr. GAUGHAN. And what did he tell you?

EMILY B. Well, of course, he denied it. He denied it.

Chief TUTTOLOMONDO. Would you explain the apprehension in speaking with him, in speaking with the sheriff, with Sheriff Amico, for fear we would, because of our oath of office, arrest your son and your daughter and build a case on it?

EMILY B. Oh, yes. I was really shook up because, of course, I didn't go to the sheriff to have them arrested. I wanted to help them if I



could possibly help them in any way, and this is the only thing I could do, was to go to them and see if I could get help from the sheriff and I must say they helped me a great deal.

Of course, had I known where to send this to, or what to do with it, I would have done it.

Mr. GAUGHAN. In other words, if there were such a program at that time where the law would have allowed you to mail the substance in, it would be a great relief, at least it would have given you a starting point?

EMILY B. Definitely.

Mr. GAUGHAN. Did your boy continue using pot? Did he admit to other drugs?

EMILY B. He did tell me he dropped acid a couple of times and also hashish, I believe it is. As far as anything else, I don't know.

Mr. GAUGHAN. But he does admit to acid and hashish?

EMILY B. Yes. He said he doesn't drop acid any more. He has tried it and wouldn't do it again.

Mr. GAUGHAN. How about the uppers and downers, has he tried those?

EMILY B. This I don't know.

Mr. GAUGHAN. What is his attitude toward it now? Is he still using it?

EMILY B. Well, he has recently had a breakdown.

Mr. GAUGHAN. A nervous breakdown?

EMILY B. Yes.

Mr. GAUGHAN. Was he confined to the hospital for a while?

EMILY B. Yes, he was.

Mr. GAUGHAN. I know it is difficult for you, madam, I am going to stop there.

I might add for the information of the committee, that during the course of our interview with Mrs. Emily, with Chief Tuttolomondo present, she showed us a package. I believe I saw it here a moment ago.

EMILY B. I have it right here.

Mr. GAUGHAN. Would you open it up, please.

EMILY B. Yes.

Mr. GAUGHAN. She found this package and this small pipe [indicating].

Chief TUTTOLOMONDO. Also there are a great number of seeds which I would say are marihuana seeds, wrapped in a little foil. There is also some more of the marihuana itself.

Mr. GAUGHAN. During the course of the interview Emily took out this package and gave it to the chief. Apparently she had, just the other day, found this in the belongings of her daughter. She brought it along to the interview to give to the chief to have it tested so she could find out what in heaven's name her daughter was involved with. I think it points up in this particular case that Emily is most fortunate in knowing the chief and having reported to him, she knew exactly what to do with it. Look at that package and look at those seeds, what would another parent have done? Who would they turn to? Could they show it to the man next door and ask him, "Is it hashish?"; should they ask him, "Is it marihuana?" In my mind, this is a very fine bill, and this is a bill that is going to affect a lot of parents in the best possible way. Do you think so?



EMILY B. Yes.

Mr. GAUGHAN. Would you, Emily, say that this bill should not only be passed, but passed quickly?

EMILY B. I would definitely say so. It is very frustrating, very difficult for a parent not knowing what to do, and this would be a great thing for them.

Mr. GAUGHAN. This is the sad part, I would imagine, the part of not knowing what to do?

EMILY B. Exactly.

Mr. GAUGHAN. Being lost in the wilderness and nowhere to turn to: no starting point?

EMILY B. That is right.

Mr. GAUGHAN. Emily, thank you. Mr. Chairman, that is all I have.

Chairman DULSKI. Thank you, Emily. I do not wish to prolong your ordeal at this hearing, and I do not wish to be repetitious, but being the parent of five children, I know the extent of a mother's great love and affection for her children. I also know the pain and agony that parents go through when they see disease affect their families. With all other illnesses, whether it is cancer or any other kind of a disease, we have places to go to. However, when it comes to this question of drug abuse, many parents do not know where to turn. They are often afraid.

I recognize that my bill is not a complete fulfillment for preventing drug abuse. However, it will at least open a door and permit the concerned parent to obtain accurate information upon which to act.

Again, I want to thank you for appearing here this afternoon and God bless you.

Congressman ROUSSELOT. Thank you so much. I don't think we need to ask any more questions. We are grateful to you for your willingness to come here to be with us this afternoon to try to help and to let others know what it is like.

Chief TUTTOLOMONDO. May I say something?

Chairman DULSKI. Yes.

Chief TUTTOLOMONDO. This morning someone said and I quote, "There is not the humanitarian approach by the police." I don't know how it was meant, and certainly I don't think it was meant in a derogatory manner, but it was just this humanitarian attitude of Sheriff Amico that has brought Tom, Emily, and so many other people to him. They didn't go to him with hopes of having their children arrested, but they went to him for help as a humanitarian and this is exactly what he gave them, help, and when I heard this morning that remark, I could only think of the many, many hours that he and I should have spent at home when we were helping people like this who, but for the grace of God, it could be my son or my daughter.

Congressman ROUSSELOT. Chief, I think their testimony has all shown very clearly that if it had not been for the sheriff's department and the other departments, it could have been another law enforcement agency, there wouldn't have been the help that was given and certainly the mention by Tom of the Albion Reception Center shows that the sheriff's department knew what to do and you knew what to



do, and we know that these things really tell the story, instead of telling how bad the police are.

We all know that there are bad police, like there are bad Congressmen and that there are bad children, but that doesn't make everybody bad.

EMILY B. May I say something else? What I had found on another occasion, I found something in my daughter's room and I had called Mr. Tuttolomondo and, in fact, I came down to the sheriff's department again and he had offered to come and talk to my daughter and he did with another sheriff's deputy, I believe, and I am sure it helped a great deal, and they took their time to do this, so I was really grateful.

MR. GAUGHAN. Chief Tuttolomondo, the presence of these witnesses today, bears eloquent testimony to the devotion of a policeman such as yourself. As the Congressman said so well, we read about all the bad officials and the ones that get in trouble but we don't read about the thousands of people like the Chief. I know how impressed I have been because I have been associated with you for the last few days and, hearing these people you have helped out, how much you have done for them, but nobody will ever hear about that.

It is no coincidence that this is occurring here today. Emily, a thousand thanks. It is not usual for me as a professional person to inject my personal feelings but as a parent, I thank you.

EMILY B. Thank you very much.

Chairman DULSKI. Our next witness is the distinguished associate judge of the city court of Buffalo, Theodore S. Kasler.

Judge, we want to apologize for having you waiting.

We, as Members of Congress, listen to much testimony also and it is certainly heartbreaking to listen to the experiences which these three people who have just testified went through. Now we will be very glad to hear your testimony.

Congressman ROUSSELOT. May I say that I may have to leave probably in the middle of your testimony and I want to assure you that it is not because of any desire on my part to do so, but I do have to be in California late tonight. I apologize if I do leave.

I want to say this: I think you can certainly make a great contribution to these hearings, not only commenting on the legislation but also because from your point of view you are dealing probably day in and day out with cases similar to many of these heart-rending stories. What we are trying to do is encourage parents to take the first step they would have to take like sending what they may find into a proper laboratory to have it looked at and determine what they can do then to start coping with the problem before it accelerates into a grave problem.

Thank you very much for your testimony, and I regret that I will have to leave, but I want you to know that it is not for any desire on my part to have to go. I would prefer to stay and hear the whole thing.

Judge KASLER. Well, Congressman, let me say this, I don't blame you for wanting to be in California.

MR. GAUGHAN. Judge, would you identify yourself and give your title?



STATEMENT OF HON. THEODORE S. KASLER, ASSOCIATE JUDGE,  
CITY COURT OF BUFFALO, N.Y.

Judge KASLER. I am Theodore S. Kasler. I am an associate judge of the city court of Buffalo and I have been a judge now, I am in my sixth year, and prior to that, in 1964, I was an assistant district attorney.

I want to thank you, Congressman Dulski and Congressman Roussetot, for giving me this opportunity to address your committee relative to this necessary piece of legislation.

I need not repeat that the drug problem has reached pandemic proportions and shows very few signs of abatement in the near future. Just this past week, the Governor of the State of New York has announced that New York has spent over three-quarters of a billion dollars in attempting to solve the drug problem and thus far all efforts have ended in failure. I feel that this legislation is a necessary tool in helping persons to confirm suspicions of drug abuse before any meaningful confrontation with a loved one is to take place.

As a former assistant district attorney and presently as a city court judge, I have "grown up", so to speak, with the drug problem. Since July 1, 1970, I have served on the rules committee of the methadone maintenance program at Sisters Hospital here in Buffalo. This is not an honorary semiannual meeting type of committee but a grueling bi-weekly confrontation with heroin addicts who have violated the rules of the program and whose continuance in it is determined by vote. I feel that I have barely scratched the surface in my understanding of the problem and the behavioral scientists have compounded the confusion for law enforcement agencies, the probation services, the treatment facilities, the judiciary, and finally, and most importantly, the parents of youngsters who have a drug abuse problem.

What can a parent do, who observes a youngster who may be nauseous, flushed and trembling, with sweaty hands, irregular breath, and enlarged pupils, indicating LSD? It would be ridiculous for the parent to jump to an immediate conclusion and accuse the son or daughter of drug abuse without some basis in fact and perhaps irreparably alienating such child for life. A parent cannot ignore a youngster's peculiar hours, times he cannot account for, whose schoolwork has gone bad, who is losing weight or whose complexion has changed, whose eyes are red or bagged, and who has become a slob when he hasn't been one before. These are signs of trouble which cannot be ignored.

The parent strongly suspects that drugs are the problem and now turns to the "experts" who pontificate about the pressures in society that brought parent and child to this juncture, who tell the parent that there should have been a better rapport with the youngster, but miserably fail in advising the parent how to cure the problem.

Many psychiatrists have evidence unequivocally demonstrating that there exists in this Nation a confrontation of parents versus peers, and, from my experience, I must agree. The solution to that problem is within the province and power of parents alone, if only they have the temerity to reject those schools of thought that teach the notion that family life is "irrelevant" or that states that "from a programmed point of view, that there is little parents can do." Another school of thought tells parents to "cool it" when they learn that the youngster is using



marihuana because parents are supposed to indicate to the kid that they can take this piece of information and talk about it, and not do anything about it. The idea that you have to do anything about it is the enemy.

I think that parents should follow the advice of Dr. Rosenthal, who runs New York's Phoenix Houses, who deals with a substantial number of youngsters, who states: "Kids don't need analysts for parents. They need parents, who'll give them advice, information, and love, and somewhere in all of this is discipline." Dr. Rosenthal is ready to go to court to force kids into the kind of treatment they need.

If Dr. Rosenthal's advice is to be followed, this proposed legislation is an efficacious weapon for the parent to combat the drug problem. This will enable a parent to confront the young drug abuser with an established fact and not a mere suspicion, so that procedures for treatment and discipline may be instituted to save the youngster from the failure and stupidity of peer group life.

For the reasons stated above, this measure should be passed promptly.

Chairman DULSKI. Thank you, Judge. Proceed, Mr. Gaughan.

MR. GAUGHAN. Judge, it is quite obvious in your position as a member of the city magistrate, you are in the first judicial line of defense in the war on drugs.

A question that has concerned this committee all day today is the fact that there are some possibilities in this bill that could rebound against us. For example, suppose a pusher has a brick of marihuana or some glassine envelopes filled with heroin and he wants to deliver them. It would be a simple thing for him to wrap it all up and mark on it, "Buffalo Police Department," or wherever the analysis is going to be made. He could put a stamp on it and if he is picked up with this material, he can say "I found this at home. I was going to drop it in the mailbox to see if there was anything wrong with it." He could then skip away and the police would be helpless.

That is one loophole that we are aware of.

There is another possible criticism. It was brought out here today, as a member of our committee mentioned, that in the last year there were 1,300 arrests throughout the Nation of Post Office employees who stole from the mails.

There is a possibility then that postal employees recognizing the address on the envelope might conclude that it contains a drug, and they may steal it.

These are things, as I say, that could count against the bill. Without going into all the advantages of the bill, thinking of these disadvantages, would you say that despite these disadvantages, you still wholeheartedly support the bill and see it as another weapon in the arsenal of people who are fighting drug addiction?

Judge KASLER. I do so state. I am definitely in favor of this bill. Take the individual who would want to wrap up bits of marihuana, say, and put the necessary postage on it. We must remember that these people are very smart and sharp. However, in the first instance, if a parent is sending this material through the mail, he is sending it in very moderate quantities. Therefore, if this individual is caught on the street with this brick, we can easily arrive at a presumption that he has no intention of submitting this to the police department.



And, then, again he may say he found this and he is surrendering it. Then he subjects himself to further investigation and, of course, he has to sweat it out a little bit while the police authorities go into a thorough investigation. After a few arrests and a few charges, the person would be dissuaded from using this ruse.

Mr. GAUGHAN. One other subject that has been mentioned predominantly throughout this day of testimony is that the analysis should be made by a third party. It should not be a police laboratory that performs the analysis, but it should be a county laboratory or a hospital laboratory, or some other third party.

This argument has been put forth on the premise that there are many people who are fearful of anything connected with the police. They will not use anything connected with the police because of a lack of rapport in certain sections.

Would you think that is a fair statement? Is it an important point for us to take into consideration in regard to this bill?

Judge KASLER. To a degree I would have to say there would be a hesitancy on the part of the parents where they would feel that they were informing on their own child.

From personal experience, there was a time when I once hesitated in notifying the police of something that happened to me. I was holding small claims court until 1 o'clock in the morning and my car was stolen from the city court garage down the block. I will tell you frankly, I felt foolish going to precinct 3 and telling them my car was taken from the city court garage, knowing full well that I should not have left the keys in the car so that the car could be stolen. This, shall we say, is only one humorous instance, but in my conversations with parents, I find that parents have often been hesitant about the police authority because the police authority did wind up charging the offspring.

I feel this: If a parent is desperate enough, and the parent has enough sense, that parent would have enough initiative to use whatever means he would have and if the police agency was the only one, that parent would send it to the agency, overcoming the initial hesitancy.

Mr. GAUGHAN. But do you believe that it would be better if a third party could perform the analyses, a county laboratory for example?

Judge KASLER. No. I feel it should be under the control of the authorities because we can rely on the authorities. I think we can have better control and the authorities are subject to public scrutiny through the press, through their own newspaper, whereas private laboratories or even governmental laboratories not exposed to public scrutiny would tend, shall we say, to bury the facts and circumstances.

In other words, they could be reached.

Mr. GAUGHAN. I didn't mean to say private laboratories.

Judge KASLER. Even public laboratories. Somebody says, "I sent this in. This is my kid. Take it easy." It has been known to happen.

Mr. GAUGHAN. You think that the police laboratories would be above that?

Judge KASLER. Yes, and further, Mr. Gaughan, may I tell you that even the laboratory at the Sisters Hospital wasn't that accurate in the methadone program, and samplings of our staff were sent in, definitely



not containing methadone and they came back "methadone positive."

Mr. GAUGHAN. Is that correct?

Judge KASLER. Yes.

Mr. GAUGHAN. Judge, I believe that covers all that I have to ask you. Mr. Chairman, I am finished.

Chairman DULSKI. Thank you, Judge Kasler. I have no questions because you have so vividly covered many of the points that we are trying to analyze.

I want to congratulate you on your fine statement and I am sure that if Congressman Rousselot were still here he would agree.

Judge KASLER. Thank you very much, Congressman Dulski and Mr. Gaughan.

Mr. GAUGHAN. Thank you, Judge.

Chairman DULSKI. Our next witness will be Dr. James Warde, commissioner, Erie County Department of Mental Health. Doctor, forgive us for this long delay.

Commissioner WARDE. It is perfectly understandable, Congressman Dulski.

Chairman DULSKI. Mr. Gaughan?

Mr. GAUGHAN. Dr. Warde, welcome here this afternoon. I know you are familiar with the scope of Mr. Dulski's bill, H.R. 12383.

It is our duty to come here today, into the field, and talk to knowledgeable people, to discuss both the favorable and the unfavorable features of the bill. It is our duty to obtain expert testimony and to see what we can do to strengthen the bill.

The bill is now what we will simply call proposed legislation. We would very much like to talk to you today about where and how, in your expert opinion, we can strengthen the bill. However, before I ask you any specific questions, sir, I would appreciate it if you would first identify yourself for the record.

**STATEMENT OF DR. JAMES WARDE, COMMISSIONER, ERIE COUNTY DEPARTMENT OF MENTAL HEALTH, ACCOMPANIED BY WILLIAM MORRIS, DIRECTOR OF PLANNING AND RESEARCH, ERIE COUNTY DEPARTMENT OF HEALTH; AND DR. MARTIN LIPTON, DIRECTOR OF DRUG ABUSE DIVISION**

Commissioner WARDE. My name is Dr. James Warde. I am commissioner of mental health in Erie County. I was chief of the Mental Health Division of the 1st Army Headquarters, Fort Meade, Md. Prior to that, deputy director of the New York City Mental Health Department. I would like to introduce two members of my staff.

Mr. GAUGHAN. Please do.

Commissioner WARDE. On my right is Mr. William Morris, who is the director of planning and research in the Erie County Department of Health. Mr. Morris is a M.S.W., master of social work.

On my left is Dr. Martin Lipton, who is the director of the drug abuse division in the department. Dr. Lipton is a Ph. D., a graduate psychologist.

Mr. GAUGHAN. I understand you are also a graduate of the University of Dublin.

Commissioner WARDE. Yes, that is true.



Mr. GAUGHAN. I knew there was something that I liked about you. Doctor, would you briefly state what your duties are in the department of mental health? How do your duties pertain to drug abuse?

Commissioner WARDE. The Department of Mental Health of Erie County of the local mental health authority under the provisions of the Community Mental Health Services Act of the mental hygiene law of the State of New York. It is also the designee agency of the Narcotics Addiction Control Commission of the State of New York and, as such, has overall planning, coordinating, programing, budgetary responsibility for the development of drug abuse treatment rehabilitation programs in the county of Erie.

Mr. GAUGHAN. Would you enumerate the various programs? I understand they include neighborhood centers.

Commissioner WARDE. Yes. If I may elaborate on that a little bit; in March of 1970 there was in this community no existing drug treatment program with the exception of the State facility at Masten Park.

While some patients were committed for treatment at Meyer Memorial Hospital, there was indeed no specific organized program for the care of the drug addict at the Meyer Hospital, so that the problem of the community was one of developing some drug services in this community, practically from zero.

The department has lent itself to stimulating groups of professionals, facilities in the community, to develop a drug program and to operate them, and has designed a number of drug service programs including the methadone maintenance programs that are now operating.

There has been a good deal of slowness in terms of response, particularly of the medical facilities in the community, to the problem of drug addiction. I think that was adequately attested to by the witnesses who have testified earlier this afternoon.

We developed, in collaboration with some 16 community agencies, a plan that constituted an annual program to attempt to coordinate and to develop services for the drug abuser and the drug addict in the community, secured funds to do that, developed the contracts with these agencies to do that, since the department does not operate any drug services itself, but provides for services through contracts and agreements, through other community agencies and county governmental agencies.

At this point in time, we have treatment rehabilitation programs. We have the methadone maintenance program at Sisters Hospital. There has been a great deal of difficulty in attempting to develop the second methadone treatment program in the city of Lackawanna. I am sure you are all familiar with it as you read the newspapers.

There are 13 neighborhood centers that provide counseling and education in various neighborhoods and communities—community centers, disbursed throughout the county. There has been, I think, a good attempt on the part of the community in a very short time to develop an appropriate response to the people in need.

Demand for service, of course, continues to increase. Large numbers of people are coming into the neighborhood center. Some 230 to 240 people are under treatment at the methadone maintenance program at the Sisters Hospital, while some 10 heroin addicts are under treatment at the Hill Center in Lackawanna.



However, at this time, there is a waiting list at the Sisters Hospital program due to the fact that the other program did not come in on time.

There are some 300 people waiting to be treated on the methadone maintenance program.

Mr. GAUGHAN. What is the source of your funding; is it local or State?

Commissioner WARDE. It is both private, local, and State and Federal. There are at this point very little Federal dollars.

Mr. GAUGHAN. Can you break down the percentage as to private, local, and State?

Commissioner WARDE. I have not come equipped with those figures.

Mr. MORRIS. It is roughly 50 percent State money, and at least 40 percent local government money and probably 5 percent or 10 percent private money.

Mr. GAUGHAN. Doctor, would you give us your reaction to the bill, H.R. 12383? Is it favorable? Do you have any reservations, and would you spell out specifically what those reservations are if you have any?

Commissioner WARDE. Surely, if I may be permitted, as a physician and as a parent, and having been in the audience during the testimony that was offered by the parents and the citizens, I think that I ought to comment on that as it impacted on me.

Mr. GAUGHAN. Please do.

Commissioner WARDE. And I saw an impact on you. I think it underscores the horrendous tragic problem of this drug issue that we are trying to face, and I think it also underscores the humanity or responsibility which we, as public officials, have in an attempt to help the parents to do something about it. However, two more points that I was struck with are the tremendous frustration and almost impotence on the part of the parents to do something beneficial and constructive about that problem.

My last comment is one in which I think the police agencies and the sheriff's department that are involved should be congratulated because I think what we saw here today points up so very clearly the kind of dedication by the men in these agencies and in our community. I think that we should have more of that.

In terms of the proposed bill, insofar as this bill, if passed, it would provide a mechanism to facilitate the early identification of occurrences of drug abuse.

I am endorsing that heartily.

I would stress, however, the need to link that first early identification of a drug abuse occurrence, to a treatment and rehabilitation service. I think the parents are not, without some professional guidance and assistance, generally equipped to deal with this very complex social, psychological, economic, legal problem. I think we have to go beyond the identification of the drug and the transmission of that information to the parent to make an immediate linkage with a human service treatment rehabilitation agency or facility.

I would suggest, as a possible modification to the proposed bill, that either the governmental agencies as cited in the draft of the bill be specified to be a "health or mental health agency," that of Buffalo or the State.



Mr. GAUGHAN. Would you repeat that, Doctor? I did not get that. What would you suggest?

Commissioner WARDE. That the bill be amended in the section where it cites a governmental agency, but does not specify what kind of agency.

Mr. GAUGHAN. For the analysis?

Commissioner WARDE. For the analysis, that that agency be specified, and that it be specified as a "health or mental health agency or authority."

Mr. GAUGHAN. And not a police or enforcement agency?

Commissioner WARDE. Not a police or enforcement agency. As an alternative, I suggest that a mechanism be established if the analysis is to be carried out by a law enforcement agency, and I would assume that in some communities a law enforcement agency may have a facility adequate to do that job, but that we be assured in the construction of this bill that in cases where there is positive identification of a foreign substance or a narcotic or a dangerous drug, that there be simultaneous notification of the appropriate health or mental authority serving that community.

I think the point is very well taken that a police agency or agent in the case of a negative identification of a drug, furnish immediate notification to allay the parents' concern and fears. I think I have some concern about the technical competence and professional competence that is required in the identification of substances and the need for pharmacological and toxicological expertise in identifying foreign substances. It would be especially desirable in the case of mixed substances where you may have, for example, a substance cut in large doses with strychnine, that there be immediate action, and it could be lifesaving action, taken by the individual identifying that substance at that time.

Mr. GAUGHAN. Why would strychnine be used for such a purpose?

Commissioner WARDE. I cannot answer that question for you, Mr. Gaughan.

Dr. LIPTON. I am not a chemist, but it is my understanding that a certain substance such as mescaline, that they are stabilizing with a heavy metal, such as strychnine or arsenic, or something of that order.

Mr. GAUGHAN. It is used as a stabilizer, a stabilizing agent?

Dr. LIPTON. Yes.

Mr. GAUGHAN. Is the department of mental health, Doctor, doing anything in Erie County in encouraging physicians of Erie County to fight drugs? Do you have any programs going with them?

Commissioner WARDE. We have had some direction and communication with the Medical Society of the County of Erie relative, particularly to the establishment of what we have termed a "voluntary embargo" on some of the more dangerous drugs like the amphetamines which have a very specific and minimal application in clinical practice where in the application of an amphetamine, for example, one has in one's territory so many other alternatives, and we have requested that the Erie County Medical Society take action on that embargo.



Mr. GAUGHAN. In other words, you are asking physicians who have a practice, for example, of prescribing amphetamines for people who suffer from overweight, not to use it, to get away from it, to try to use something else?

Commissioner WARDE. Yes.

Mr. GAUGHAN. I understand, Doctor, that there is a drug program at the Children's Hospital and it is doing a fine job. Would you enlighten us on their activities there?

Commissioner WARDE. The Children's Hospital is one of the hospitals that are participating with the department in the program, and they have taken on the responsibility of providing emergency detoxification for the youth, and that is the under 18 or under 20 person.

We are developing a similar program at the Meyer Memorial Hospital so that there is planned two emergency detoxification units in the county.

As I indicated to you before, it is only 2 years ago since we decided to service this community that there was nothing, literally nothing, and so the order of priority was to develop some, what we call hard services for the hard drugs and, of course, the detoxification program is a very important element in that it is a lifesaving measure.

Children's Hospital is also involved in other aspects of drug abuse servicing, including counseling and treatment.

Mr. GAUGHAN. Doctor, I would like to put to you the question that is of vast interest to members of this committee and the community at large; what is your position on marihuana, should it be legalized?

Commissioner WARDE. I believe that we need much more appropriate controls on all of the drug substances in our community, both legal and nonlegal.

I do not believe that there are any real advantages to the legalization of marihuana as such at this time.

I do think that the rather stringent penalties that are being applied in terms of marihuana arrests are at this time not helpful and are not constructive and should be reduced.

Mr. GAUGHAN. Would you say marihuana is the first step down the road to addiction?

Commissioner WARDE. There are a number of schools of thought on that, Mr. Gaughan, and I do not know the answer to it. I do not think the returns are all in on it.

There is only one way in which you can completely prove that it is, and that is to put somebody on marihuana and follow through in that case for 5 years and see what happens in that kind of a study.

I don't think we can analyze it retrospectively and say that a number of people who have graduated into heroin, while they may have begun with marihuana, I don't think that you can postulate a cause and effect relationship because there are also a significant number of people, according to the best information or the literature, that do use marihuana and do not graduate. It is a controversial issue. I don't know the answer to it.

Mr. GAUGHAN. It has been stated to this committee, specifically by Mr. Fred Willis, that every heroin addict that has gone through the program has, to a man, said, "Don't legalize marihuana, it was my first step down the road." I think it is interesting to hear that side of it, although I do realize that the returns are not all in.



Doctor, is it, therefore, fair for me to say that your position on this bill is that you wholeheartedly endorse it with reservations. The reservations which you have put into the record and which, speaking only for myself, I think will be something we will give serious consideration to. Other than that, you urge the passage of the bill?

Commissioner WARDE. I urge the passage of the bill.

Mr. GAUGHAN. Thank you, Doctor. Dr. Lipton, would you like to add anything?

Dr. LIPTON. No.

Mr. GAUGHAN. Mr. Morris?

Mr. MORRIS. I have one very small point. I just wanted to mention an experience we have had with a crisis service hotline in Erie County and I think there is a relationship or a parallel between the kind of thing you are trying to do here and what we have been trying to do with the development of the drug program.

The crisis drug hotline allows someone to call in to a treatment center and, without identifying themselves, begin to obtain information; they can obtain information about drugs and, in general, ask "What is this kind of drug? What will happen if I take it?" Would it contain information of a much deeper character in terms of an experience they are going through themselves or in their families.

That drug hotline has had a tremendous high volume of use and the people are protected and they are allowed to feel their way into the circumstances and if they are reticent about exposing a family problem, about exposing themselves, about seeking help, they can utilize that as a first step and then if the response is a sensitive one and a thoughtful one, then they can be encouraged to go seek further and long-term help which may be applied, and I think this parallel between our very positive experience of the utilization of the drug hotline and the kind of opportunity that this bill would give people a way of getting useful information.

That is just a minor addition to Dr. Warde's comments.

Mr. GAUGHAN. We appreciate your comment. It is very well put.

Dr. LIPTON. This bill was presented to the directors of 13 drug abuse preventive drug and treatment agencies in Erie County that we meet with on a monthly basis, and some of these comments came from this group.

One of the comments that was raised in the minority was, that if a person's reaction, or professional reaction, that is, I think it was a clinical psychologist, stressed the point that Dr. Warde made with regard to the need for this analysis to be tied in with a helping agency. There is a feeling that perhaps when a parent finds out what the drug is, they may tend to confront their children in a way that might further alienate the child, might further add to some of the psychological factors that cause them to become involved in drug abuse in the first place.

I think it is a critical moment when this knowledge is verified, and it is extremely important again to tie the parent and the youngster into some helping services.

Mr. GAUGHAN. Yes. Thank you, Doctor. I must say that this lack of linkage is something that has disturbed us from the very beginning. We have been disturbed that the parents might be left to stand there to be blown in the wind. Perhaps, something should be added to provide a linkage.



Mr. Chairman, that is all I have.

Chairman DULSKI. Dr. Warde, I am going to make the letter that you wrote to me a part of the record. I am sure that there will be no objection.

(The letter referred to follows:)

MARCH 7, 1972.

Re Proposed bill regarding mailing of drug samples to law enforcement agencies.

HON. THADDEUS J. DULSKI,

*Chairman, Committee on Post Office and Civil Service, House of Representatives,  
Washington, D.C.*

DEAR MR. DULSKI: I share your concern for the need to amend our present postal laws to allow for the mailing of suspected dangerous drugs to appropriate governmental agencies for analysis. Your proposed legislation, H.R. 12383, has been reviewed by the staff of this department and by the directors of 13 drug abuse services in Erie County. The following issues were raised in the context of this review, and are provided for your information and consideration:

1. The governmental unit assigned to provide such analysis should not be related to or involved in law enforcement. If we were to be a law enforcement agency, many people would be afraid that they might become involved with the law and would not feel free to utilize this service.

2. Analysis of the suspected dangerous substance should provide a detailed description of its composition and a statement with respect to its degree of danger. For example, if the drug contains strychnine or other potentially lethal chemicals, as is often the case, immediate action would be required by the inquirer. Therefore, a statement that the drug is dangerous, by itself, would be insufficient.

3. A designated governmental agency that would satisfy 1 and 2 of the foregoing would be a county or State laboratory since they would be staffed and equipped for the type analysis required.

If I can provide you with any additional information or clarification on these issues, I would be happy to do so.

Sincerely,

JAMES WARDE, M.D., *Commissioner.*

Chairman DULSKI. Now, as to the additional consideration on this legislation, I have a question I pose to you as a professional man, for whom we all have a high regard.

Suppose the bill was amended to give the individual a choice of which agency or department he wanted to contact. You would have no objection if such a voluntary choice were given?

Commissioner WARDE. That is correct. I did take some pains to make that clear in my verbal testimony, that I would want any alternative avenue that is offered to a parent and in terms of entering a health service, I support that.

My point is, that when there is need for a linkage, it is appropriate for whatever health or mental health authority there is in the community to follow through.

Chairman DULSKI. I agree with you and, as I say, you have been of great help by giving us these suggestions.

Are you included in any kind of Federal program from which you receive funds?

Commissioner WARDE. Not at this point in time.

Mr. DULSKI. We are very grateful to you and to your associates for being here this afternoon. Again, I want to thank you.

Mr. GAUGHAN. That is all for me, Mr. Chairman. I would also like to thank you all.

Commissioner WARDE. Thank you very much. We appreciate the opportunity to testify here today.



Chairman DULSKI. The last witness today is Prof. Edward L. Morgan, chairman of the criminal justice program of the New York State University College at Buffalo.

Professor, we have requested you to appear as a witness because of your recognized expertise in the field of drug abuse.

We know that you can furnish us guidance relating to the bill before us.

I have the résumé of Professor Morgan and it will be made part of the record.

(The information follows:)

#### RÉSUMÉ OF EDWARD L. MORGAN

180 Parker Road, Hamburg, N.Y. 14075.

Home: [REDACTED] Office: (716) 862-4517.

Professor and Chairman, Department of Criminal Justice, New York State University College, Buffalo. Perry Hall 323, 1300 Elmwood Avenue, Buffalo, New York, 14222 (September 1, 1969 to present).

Chairman of Department offering the Baccalaureate Degree in Criminal Justice. In addition to the administrative duties associated with the chairmanship, three subject areas are taught. They are: Advanced Administration in Criminal Justice, Seminar in Criminal Justice and Community Issues in Criminal Justice. Employed as Associate Professor, promoted to Professor September 1, 1971 and tenured June 1971 (effective September 1, 1972).

Criminal Justice Education Specialist, University of Georgia, Athens, Georgia, 30601, (September 1, 1968 to September 1, 1969).

Primary responsibility for design, implementation and assistance of all criminal justice educational activities in the University System of Georgia. In addition, act as professional advisor to: Athens Model Cities Program, State Planning Bureau, Area Planning and Development Commissions and Police Agencies, Student Assistantship Programs, loan and grant coordination, proposal development for Federal and State funding, and various research activities. Criminal Justice Education Specialist is a faculty level position joint staffed between the Chancellors Office of the Board of Regents and the Institute of Government with activities directed toward the 29 units of the University System including the University in Athens, State and Junior colleges.

Research Associate, Narcotic Prevention Project, Schools Section, 511 N. Echandia Street, Los Angeles, California, 90033, (October 1967 to September 1968).

Directed evaluation of Economic Opportunities Grant to the Los Angeles City Schools. Expanded narcotic instruction was provided to eighth grade school children in East Los Angeles, a known high usage area. One unique aspect of the project was the use of exnarcotic addicts in the classroom. Interviews with City School Administrators, teachers, addicts, and children were conducted. Pre and Post attitudinal examinations of approximately 3,200 children were conducted in four Junior High Schools. A final comprehensive report was prepared for the Economic and Youth Opportunities Agency.

Project Representative MD.T.A. Patrolman Evaluation, Department of Police Administration, Indiana University, Bloomington, Indiana, (October 1966 to October 1967).

Evaluated area grant for police recruitment of minority groups. Administered examinations, conducted interviews with administrators of the California State Employment Service, Los Angeles Board of Education, Los Angeles Police Department, the training coordinators, and the trainees. Gathered and compiled data, and prepared comprehensive reports to the project director. The evaluation was conducted under a grant from the Office of Law Enforcement Assistance, United States Department of Justice.

California State College at Los Angeles, Department of Government, 5151 State College Drive, Los Angeles, California, 90032 (September 1967 to June 1968).

Substitute and part-time teaching in the Department of Government. Subject areas taught were: American Federal Government, State and Local Government, and Government in American Society.



Investigator, Burbank Police Department, City of Burbank, California (January 1958 to January 1966).

Employed as a patrolman and through promotional examinations obtained the rank of Investigator (September 1964). On leaving, was in the number one position on the sergeant's list. As an investigator, duties included: Uniformed scientific crime scene investigation, photography, fingerprinting, accident investigation, specialized non-uniformed burglary suppression unit, acting sergeant, and non-uniformed criminal investigation. Extensive reporting was necessary as was close interaction with the City Attorney, District Attorney and the courts.

#### CONSULTING ACTIVITIES

Permanent Consultant, Community Relations Service, U.S. Department of Justice, 550 11th Street, N.W., Washington, D.C. 20530 (September 1969 to present).

Provide various reporting and consulting services to Federal, State and local agencies on the behalf of the Community Relations Service. Such activities as a critical analysis of the 1970 State Crime Control Master Plans for: Alabama, Tennessee, North Carolina, Mississippi, Georgia, South Carolina, Kentucky, Florida, Delaware, Maryland, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, Washington, D.C., and West Virginia, and: Technical assistance for project development to various cities have been completed. Also accepted the responsibilities for an on-going monitoring of Public Service Careers Program (Minority recruitment into Law Enforcement) in New York, N.Y., Spartanburg, N.C., Huntsville, Ala., Tuscaloosa, Florida and St. Louis, Missouri. This was a continuous consultant position and the activities were variable.

Permanent Consultant, New Jersey State Department of Civil Service, State House, Trenton, New Jersey 08625 (March 1970 to present).

Participation in the development of statewide police promotional examinations has been the primary activity to date.

New York State Legislature: Temporary State Commission on Powers of Local Government (1971).

Surveyed and reported on the police functions in Erie County, New York. Recommendations and testimony provided for the reorganization to create a more effective system.

Erie County, New York (1971). Study of criminal justice training and educational facilities, needs and projections in Erie County.

Research Consultant, Alhambra Traffic Survey. Department of Traffic Engineering, City of Alhambra, California (January 1967 to April 1967).

Directed field activities of parking survey. Compiled data returned from field personnel. Compiled comprehensive report for Traffic Engineer.

Advisor, E.P.I.C. (Educational Participation in the Community). California State College at Los Angeles. (1966 to 1967.)

E.P.I.C. utilizes students as volunteer resource personnel working in the community with established community agencies. Designed, initiated and directed a coordinating system. Resolved difficulties arising in the various social agencies as they affected E.P.I.C. Represented EPIC at various public functions. Worked in association with Dr. Edmond C. Hallberg, Dean of Students.

City of Los Angeles: City Charter Revision Commission (1968).

Consultant activities with professional staff as the need and flexibility of the Office of "Ombudsman" in Los Angeles City Charter.

City of Los Angeles: City Charter Revision Commission (1968).

Assisted in program of evaluation directed toward Narcotic Prevention Program in seventh and eighth grade health classes.

Additional consulting services, other than normal job responsibilities, have been provided in California, Georgia, Missouri, Tennessee, and Mississippi.

#### EDUCATION

University of Georgia: partially completed program leading to Ph.D. in Political Science. Major area of study is Public Administration in which all classwork has been completed. Supportive fields offered for examination are: National, State and Local Government; Political Methodology, and Constitutional Law.

California State College at Los Angeles: Master of Science, March 1968. Completed 87 hours of graduate classwork. Major areas of graduate work: Police Science, American Government, State and Local Government, Public Administra-



tion, and Political Behavior. The degree is in Public Service. Thesis: Los Angeles M.D.T.A.—Patrolman Program: A case study in Intergovernmental Relations. California State College at Los Angeles: Bachelor of Science in Police Science, June 1961.

#### TEACHING CERTIFICATIONS

State of California Standard Teaching Credential No. 10577 JCL with a Specialization in Junior College Teaching (Issued for life). Major: Public Service. Minor: Police Science. Social Sciences: Political Science.

#### APPOINTMENTS AND OFFICES

Public Safety Committee: Buffalo Area Chamber of Commerce, Buffalo, New York (1970 to present—Vice Chairman 1971–1972).

Community Advisory Board—Criminal Justice, Genesee Community College, Batavia, N.Y. (1969 to present).

Board of Directors, John Howard Society, Buffalo, N.Y. (November 1969 to present).

Education and Training Committee, International Association of Chiefs of Police (October 1969 to present).

Nominating Committee: Executive Officers. The Academy of Criminal Justice Sciences (1971).

Executive Committee: Change of Name. International Association of Police Professors (1969).

Communication Board: California State College at Los Angeles; Alternate Chairman (1969 to 1968).

Vice President, Graduate Class, California State College at Los Angeles (1967 to 1968).

#### PROFESSIONAL MEMBERSHIPS

The American Academy of Political and Social Sciences.

International Association of Chiefs of Police (Associate).

International Association of Police Professors. (Now Academy of Criminal Justice Sciences).

California Association of Police Professors (Associate).

American Society for Public Administration. (Elected to Executive Committee—Niagara Frontier Chapter, 1970).

#### HONORS AND AWARDS

Certificate of Appreciation, Lambda Alpha Epsilon (November 18, 1970). For service to Buffalo Chapter, Iota Epsilon Pi.

Honorary Citizen: City of Spartanburg, South Carolina (October 14, 1970). Presented by Mayor Robert L. Stoddard for service to Law Enforcement in the Spartanburg Community.

Certification of Appreciation: Lion's Club International, Buffalo Chapter (January 13, 1970). For service in behalf of Buffalo Area Law Enforcement.

Certificate of Appreciation: The University of Georgia (February 12, 1969). For assistance to the South Eastern Law Enforcement Programs.

Honor Award: Park and Recreation Department, City of Burbank, California (October 20, 1958). Presented by Mayor Dallas Williams for, "... meritorious community service . . . to the youth and adult citizens of Burbank".

#### PERSONAL DATA

Born: Lovelady, Tex., October 2, 1933. Married. Four children. 6 feet, 165 pounds. U.S. Navy, 1951–1954 (Honorable). U.S.M.C.R. 1951 (Honorable). Social Security No. XXXX

References will be furnished if requested.

#### A. PUBLICATIONS

Morgan, Edward L. Police Management in a Free Society: A conceptual analysis. (Manuscript).

"Pornography, A Problem Out of Proportion." Newsletter, Vol. III, No. 3, Georgia Association of Chiefs of Police, Athens, Georgia: Institute of Government, November 1968, pp. 13–17.



"The Problems and Implications Involved in the Implementation of a Two-Year Criminal Justice Degree Program" (Monograph), Athens, Georgia: Law Enforcement Component, Institute of Government, January 1969.

"Training and Education: The Law Enforcement Dilemma," (Monograph), Athens, Georgia: Law Enforcement Component, Institute of Government, February 1969); and

Burton Sparer. "Georgia's Participation in the Omnibus Crime Control and Safe Streets Act of 1968"—Georgia Government Review, Vol. 2, No. 2, Spring of 1969.

"What is Criminal Justice? An open letter," The Police Chief, August, 1969, pp. 12-13.

Et al. Excerpts from Addicts in Classrooms: The Impact of an Experimental Narcotics Education Program on Junior High School Pupils. 91st Congress, 1st Session, hearings before the Committee on Labor and Public Welfare, United States Senate—On Addictive Drug Problems, Methods being used to meet some of these problems, and suggested further measures. (U.S. Government Printing Office, Washington, D.C., 1969) pp. 35-40.

"Integration of Law Enforcement Education and The Academic Institution." A Keynote Paper presented to the Canadian National Conference of Law and Security Administration, Welland, Ontario. May 13, 1971.

"The Problems and Implications Involved in the Implementation of a Four-Year Criminal Justice Degree Program," (Monograph), Athens, Georgia: Law Enforcement Component, Institute of Government, January 1969.

#### B. MAJOR REPORTS

An Evaluation of the M.D.T.A. Policeman's Project: Part One (Los Angeles Report). Office of Law Enforcement Assistance, U.S. Department of Justice, August, 1969.

Et al. Addicts in the Classroom: The Impact of an Experimental Narcotics Education Program on Junior High School Pupils. Economic and Youth Opportunities Agency, Washington, D.C., November, 1968.

Police Science Degree Programs in Georgia Colleges. Office of Law Enforcement Assistance, U.S. Department of Justice, August, 1969.

Erie County Police Services. New York Legislature: Temporary State Commission on the Powers of Local Government. New York State Legislature, Albany, N.Y. 1971.

Police Training in Erie County, Law Enforcement Assistance Administration, U.S. Department of Justice, 1971.

Mr. DULSKI. Mr. Gaughan?

Mr. GAUGHAN. Thank you, Mr. Chairman. Professor Morgan, a warm welcome to you. For the record, would you give us your full name and your association?

#### STATEMENT OF PROF. EDWARD MORGAN, CHAIRMAN, CRIMINAL JUSTICE PROGRAM, NEW YORK STATE UNIVERSITY COLLEGE AT BUFFALO, N.Y.

Professor MORGAN. Yes. I am Edward L. Morgan. I am professor and chairman of the department of criminal justice of the University College at Buffalo, and at these hearings I have also been asked to represent the Buffalo Area Chamber of Commerce, so I will be representing both of those.

I do have a prepared statement and I will read from that. I did not submit it earlier, but I will be happy to leave this.

Mr. GAUGHAN. For the record, would you give us some brief detail of your background and experience in the field of drugs and criminal procedure?

Professor MORGAN. Yes. I have been a policeman for 8 years. Sorry our good friend from California had to leave. My experience was at a



place called, "Burbank, California." I hold a master's degree in political science with a background in public service, public administration.

I have worked in the southeastern region of the law enforcement educational programs, responsible for all the law enforcement education at the University of Georgia.

Prior to that, I was director of projects for 1 year which involved itself with the narcotics in the east Los Angeles area. Expanded narcotic instructions was provided to eighth grade schoolchildren in east Los Angeles, a known high usage area. It was unique that we used addicts in the classroom.

Among other things, I have been here recently working in various different kinds of agencies.

Mr. GAUGHAN. Professor, did you say you have a statement you would like to read?

Professor MORGAN. Yes. Just a short statement.

Mr. GAUGHAN. Would you go right ahead.

Professor MORGAN. As most of us know the drug problem in the United States has reached epidemic proportions. It has infected every level of our society and shows no signs of retrenching.

The process of arrest has not been shown as an effective means of resolution, and some writers believe that arrests actually aggravate the problem. In fact, even if arrest could be shown as an effective means of resolution, the problem has grown to such proportions that the police could not possibly distribute their resources in a way that would address more than the surface of the problem.

The drug problem cannot be resolved without the mobilization of our entire society in programs of awareness and knowledge. It is my feeling that this bill, H.R. 12383, is a step in the right direction.

The resolution of the drug problem lies in treatment and prevention, while current efforts of arrest and punishment serve only to insure the problem's continuation.

Further, the most effective prevention must occur in the home, although treatment may, on occasion, demand a more conducive setting. Like many diseases, however, we can possibly prevent what we cannot cure.

Currently, in some areas, a parent cannot obtain valid information without subjecting himself to the possibility of investigation and arrest. Other areas, like Buffalo, have programs of anonymous analysis which are to be applauded. The citizens of our country, however, closely associate police with arrest and regardless of the anonymous nature, will frequently not use the analysis process when the police are involved.

Even though the lack of investigation is reality, it is the perceptions of reality which most often govern the actions of man. It is this perception of the potential for investigation and arrest which plays the preventative role. In fact, if the process is indeed anonymous those with such programs would certainly support legislation such as this.

It is of utmost importance that parents be provided free access to knowledge about drugs if we are ever to counter the drug subculture. The parent cannot act without actually knowing if there is cause for alarm. Unfounded accusations could, in such instances, cause marginal youth to turn to drugs when a different approach may well have pre-



vented further experimentation. No action, on the other hand, could be just as disastrous if the substance is addictive, but not recognized.

The bill, however, does not provide for information relating to available services for parental help, once the drug problem is discovered. It is important that such information be provided as well as the results of the analysis. Not to do so is providing only part of the help so necessary, and could well lead to deleterious parental responses.

Drug information booklets are plentiful and such documents, placed in postal information racks for public consumption, would help alleviate the problem of additional information.

Although the main trust of this bill is to assist citizens in gaining accurate information, it could have an interesting residual effect. To eliminate the use of the analysis process as a quality control device of addicts, the return information should merely identify the drug. The laboratory could, however, determine the quality.

By keeping appropriate records the average quality level in a given area could be determined. Deviation from this level would be indicative of change in the drug market. For example, if the quality of heroin rises this could mean that the supply is plentiful. If, on the other hand, the quality goes down, the supply could be short, forcing the further cutting of the product.

Such information would be beneficial to law-enforcement agencies in assessing the effectiveness of a major drive against suppliers. Or, it could be indicative of the operation of a new supplier.

The proper analysis of such data would become a valuable source of information, which added to other intelligence, provides for higher quality enforcements.

I have not burdened you gentlemen with voluminous statistics. I am sure you are all well aware of the magnitude of the drug problem. If not, such statistics are readily available, and can be obtained by simply reading nearly any newspaper. Suffice to say here, that our society can no longer afford to nurture such a cancer. The loss of human resources is far too great.

The resolution of the problem, however, will only come through the concerted efforts of all of our criminal justice agencies and society as a whole.

People must be encouraged to seek information and take the appropriate action. This can only occur where interested parties can feel that they and theirs will not be subject to retribution because of their inquiries. It is my opinion that this bill provides such access.

Mr. GAUGHAN. Thank you, Professor. You have brought out a point which is very valuable and one that had not occurred previously to this committee. It certainly points out the value of these hearings. And that is the fact that the authorities in a given area under our chairman's proposal would have some sort of statistical method by which they could have some knowledge of what type of drugs are popular in the community, and the quality of such drugs. I am sure that the very quality itself would indicate what is going on, whether there is a shortage of it, or a lot of it around. It would give law enforcement and health agencies some further information that they would not normally have. We had not thought of that when the chairman proposed the bill. We had not thought of that in that sense, but we see your observation as another valuable asset.



Did I understand correctly from your statement that whoever does the analysis should be associated with an organization other than a police organization; did I understand your statement?

Professor MORGAN. No, sir, you did not. I think that the anonymous characteristics as are included in the bill, the administration of this, the way the individuals numbers would be assigned and so forth, I think that this anonymous characteristic of the bill is enough to prevent the fear.

Some of the fear will continue to occur but I think this will occur regardless of what agency is doing the analysis because I do not think that the people would not, even with these guarantees, through the police laboratory doing the analysis, will believe the police do not have access to the information from the laboratory reports.

I think the residual benefits of the information gathered, even though the situation is thoroughly protected as it should be, coming out of the police laboratory, with that kind of analysis recommended, that is the best facet.

Mr. GAUGHAN. We had a Mr. Fred Willis testify earlier this morning, and he is almost entirely involved with the black section of the community, and it was his thinking that most black people would be reluctant to mail anything to the police department. It is a factor we have to consider.

You made one other point that apparently strongly backs up Dr. Warde's position, and that is that there has to be a linkage here. We can't just inform a parent that he has a terrible problem in his family and then hang up the telephone and walk away from it. We must be prepared to offer some services which will help parents to take the next step; is that correct?

Professor MORGAN. Yes. I think this is a very important thing although I am not at all sure that for the purpose of this bill it needs to be included in the legislation. I think I would be in opposition to any system whereby a parent who receives this information would be given a direction to go to a specific agency. I think there are many nonpublic agencies that are excellent in our community and throughout the country, and I think the parents should be given the alternative to go to a source that will best suit his problem, because I have found in looking at the narcotic picture that one form of rehabilitation may be perfectly acceptable for one individual and completely the opposite to another individual's needs.

We, as individuals, need different things and I think that is a kind of alternative that would be provided to the parent.

There is in getting back this kind of information an emotional state that the parent is in when he learns this, and there is a certain amount of coercion involved when we tell them to go to one place and I don't think that this would be the right service.

Mr. GAUGHAN. He should have the choice of a number of them?

Professor MORGAN. Yes.

Mr. GAUGHAN. Now, the question that we have asked everybody here, because so many of you people are so well versed in this field, and we would appreciate your views for the record; what is your position on the legalization of marihuana?

Professor MORGAN. I don't think we know enough about marihuana yet to know whether it should be legalized or not legalized.



One of the things that marihuana does is that it places the individual into the drug subculture. It is illegal. The person who has broken the marihuana drug laws has accepted the idea of breaking the drug laws as such. It is a much easier step to go on to heroin as he uses marihuana now, and it is a direct secret that he must keep, and consequently, because of the poor relationship, he must fall off from his close associations and falls in with the marihuana users.

He also at that point has accepted the other drugs.

I do not feel that marihuana is necessarily the first step to heroin. I think that the statistics are quite clear and certainly there are some 150 addicts that we had working for us in the project in the 3,200 children that we were working with, and we discovered in our statistics there that literally 100 percent of these east Los Angeles children had experienced marihuana. East Los Angeles is an area approximately 1 square mile and it accounts for over 55 percent of all narcotics convictions in the State of California, which makes it an area of high usage.

We found out that their experience with marihuana is quite high, approximately 23 percent and some odd of these children were verified as heroin addicts which, again, is quite high.

Not all marihuana users do turn to heroin. Literally all heroin users started with marihuana but how we judge those figures, I don't think we need know that. I don't think we know enough about drugs. I think we are only starting to get to the point where we can ask some of the correct questions, but we have not arrived at the answers as yet.

Mr. GAUGHAN. Professor, one last question. Do you recommend to the members of this subcommittee that this bill be passed? Do you find it a valuable piece of legislation to fight this problem?

Professor MORGAN. Yes, in at least three ways. I do, personally, and the school I am representing, takes my position on this, and therefore, I do as their representative, and I discussed my position with the Buffalo Area Chamber of Commerce, that asked me to represent them, and so the three of us do support the legislation proposed.

Mr. GAUGHAN. Thank you very much. That is all, Mr. Chairman.

Chairman DULSKI. Thank you very much for your testimony. In reading your biography, I find that you have had experience not only in the schools, where much of the problem is, but also in law enforcement.

Much of the testimony given here today by the various witnesses will be of interest to other committees of the Congress. The Post Office and Civil Service Committee, Professor, is limited to matters concerning the Post Office, the U.S. Civil Service Commission and Federal employees in general.

Of necessity, then, this bill deals in only one area. I am proposing the valuable testimony that you and the other witnesses have given us be transmitted to the other interested committees, and I can assure you that they will make use of it.

In view of the eloquence of your testimony and the interrogation and observations, of our counsel, I have no questions. I want to thank you for your cooperation, and I apologize for the lateness of the hour.



Professor MORGAN. Well, thank you, Mr. Chairman. In reference to the Post Office and Civil Service Committee, I am really a broad-minded individual and I think if anything is going to help solve the drug problem, frankly I don't give a damn where it comes from. I think it is an excellent sign in our society that the Post Office and Civil Service Committee can address itself to the drug problem.

So, thank you for giving me the opportunity.

Mr. GAUGHAN. Thank you, Professor. You have been most helpful.

Chairman DULSKI. We will be adjourned until tomorrow morning at 10 o'clock.

(Whereupon, at 5 p.m., an adjournment was taken until Friday, March 10, 1972, at 10 a.m.)



## MAILING OF DRUG SAMPLES TO GOVERNMENT OFFICIALS FOR ANALYSIS

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WEDNESDAY, MARCH 10, 1972

U.S. HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INVESTIGATIONS OF THE  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The subcommittee met at 10 a.m., in room 704, U.S. Courthouse, Buffalo, N.Y., Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Present: Vincent M. Gaughan, staff director and special counsel; Victor C. Smiroldo, counsel; and Edward T. Hugler, investigator.

Chairman DULSKI. The committee will come to order. This is the continuation of the congressional hearing on the feasibility of mailing drugs for analysis purposes. Our first witness this morning is the Honorable Joseph Mattina, Judge of the Erie County Court.

Your Honor, it is a pleasure to have you here.

Judge MATTINA. It is kind of you to say that, Congressman.

Chairman DULSKI. I am told by counsel that we have some visitors here from Hamburg High School.

Boys and girls, I want to welcome you here this morning to this congressional hearing. I think that you are privileged in the sense that it is not often that congressional hearings are held outside of Washington and, as you know, Washington is the usual place for them, so this is an unusual occasion to have a congressional hearing here in the city of Buffalo, particularly because it is a hearing that is so much involved with a problem concerning young people. It is a hearing that is relevant to you.

Now, before I say anything about the hearing itself, I would just want to tell you a little bit about the mechanics. You may wonder, what does a congressional hearing do. The purpose of it is that when a Member of Congress introduces a bill in Congress, it then is referred to a committee. In this particular instance, it was referred to the Post Office Committee of which I am chairman. The subject we are considering today is based on my bill that will, in effect, allow narcotics to be sent through the mail for analysis purposes.

After the bill is referred, the committee or one of its subcommittees investigates the subject matter of the bill and finds out whether it has merit or not, whether there are loopholes in it, whether the bill is necessary, or whether things could be added to the bill to strengthen it. In this instance the idea for the bill was submitted to us by the sheriff of Erie County, Sheriff Amico.



We talked to Commissioner Felicetta, the commissioner of police in Buffalo, and we talked to the sheriff and we talked to the State police in the area. We found that Buffalo has a good big problem on narcotics, but no bigger than any other metropolitan area. It was a typical city to go to. We also talked to the experts in the area, the scientific people involved, the judicial people and the enforcement people, to get their ideas about this bill.

We came to Buffalo to start our hearings yesterday and so far the testimony would indicate that everybody is in favor of the bill.

What is the bill about? The bill simply says that if a parent or guardian or if a brother or sister or any concerned person should find some sort of foreign substance around the house, they can put it in an envelope and mail it to the proper authority and get it analyzed, and thus get information from that authority as to whether or not it is a dangerous drug. This could be done by writing a code number, in order to insure anonymity, on the envelope. Then 4 or 5 days later you call on the telephone, identify yourself by giving the code number, receive information on whether it is a dangerous drug or a narcotic so that the parent or brother or sister can do something to help this boy or girl who is on the path to self-destruction.

The reason such a bill is necessary right now is that it is illegal for any person to mail a dangerous drug, so the law will have to be amended.

Judge Mattina, you may proceed.

#### STATEMENT OF HON. JOSEPH F. MATTINA, JUDGE, ERIE COUNTY, N.Y.

Judge MATTINA. Thank you, Mr. Chairman. I first also want to compliment you as much as I possibly can on your foresight in putting this bill into the Congress and introducing it. You are to be complimented as highly as I can muster the words to do so. To give you an idea of why I compliment you in such a high fashion, I brought along some statistics of our court to indicate the severity of this problem in our community and I am sure in all communities throughout the United States.

Mr. Charles Orlando, the special deputy county clerk in our court, has compiled the following statistics:

The record of the county and supreme court for the county of Erie shows the disposition of the following felony crimes for the year 1971:

Felony cases disposed of, 1,025. Of this number 484 crimes were committed by people addicted to drugs, or 47 percent of the serious felony crimes disposed of in Erie County in 1971 were committed by drug addicts. Now, this figure, Mr. Chairman, does not represent particularly crimes of prostitution which are also committed by drug users and are disposed of in the lower courts of this county.

Now, although the New York State Narcotic Addiction Control Commission on May 1, 1971, declared a moratorium on the intake of drug users for treatment, there was still a total of 621 persons who applied to the county and supreme courts for assistance in their problems of drug usage during the year 1971.



From information which was obtained through interviews with the users and their families, it was found that of this group 80 percent of the drug users were residents of the city of Buffalo while 13 percent resided in the suburban areas.

Some other information which may be helpful to your committee is that 9 percent of those who applied required \$10 worth of drugs per day; 23 percent required \$30 worth of drugs per day; 35 percent required \$50 worth of drugs per day; 20 percent required over \$50 worth of drugs per day; and 13 percent required over \$100 worth of drugs per day.

If you break that down, you will find that 91 percent required more than \$10 a day to take care of their drug habit.

As to the length of time that they had been using drugs, 18 percent used drugs less than 1 year; 45 percent had been using drugs for 2 years; 19 percent used drugs for 5 years and 18 percent used drugs for more than 10 years.

The average age of the drug users were: 18 percent under the age of 20 years; 50 percent between the ages of 21 to 25; 19 percent between the ages of 26 to 30 years and 13 percent were over the age of 30 years.

Eighty-seven percent were males while 13 percent were females and 81 percent of the total were unemployed.

Now, I would like to give you this statistic also: That of the group which were unemployed a list of the crimes which they committed to support their habit of drug usage was, 41 percent were arrested for possession and sale of drugs; 25 percent for larceny; 15 percent for burglary; 9 percent for robbery; 4 percent for forgery; 1 percent for assault, and 5 percent for prostitution.

It is estimated that this group, using an average of \$30 per day, required approximately \$20,000 of drugs per day to sustain their habits, each day.

Now, Mr. Chairman, those statistics may be somewhat revealing and at times shocking to you. They certainly were a surprise to me when they were compiled by Mr. Orlando. I think it points out the severity of the problem and certainly it has been touched upon by the speakers before this committee and many other professional and nonprofessionals who have written on the subject over the years.

Your bill will do a great deal on an affirmative plane to help contain the problem of drug abuse. One of the items or some of the thoughts I would like to share with you are along these lines. I think that affirmative legislation of this type is helpful. I feel that rehabilitation is extremely helpful. I am also a strong supporter of good effective law enforcement on all levels and I wholeheartedly agree with the district attorney when he indicated that we should step up security at our borders and our ports of entry to try to keep the inflow of drugs down to a minimum in this country.

I compliment the sheriff of the county of Erie for the effective work that he has done and I compliment Commissioner of Police Felicetta and his narcotics squad on their effectiveness in this area.

Unfortunately, all of these men have had in the past to carry the full burden or responsibility on drug abuse. I think this is clearly unfair on the part of the public. I think the public has to realize that this problem is not purely a legal problem, that this problem has many



of its roots if not the greater percentage of its roots very deeply involved in our society.

This problem, as far as I am concerned, is more of a social medical problem rather than a legal problem. We have got to start approaching this as an illness. We have started but we have got to put more emphasis on it and I think this bill will help us because if a parent finds out at an early stage that his youngster is involved with drugs or his loved ones, Mr. Chairman, you are going to be surprised at the number of samples that will be going through the mail from wives and husbands and maybe parents inquiring about their fathers and mothers and husbands and wives and so forth, but if it can be caught at an early stage in the same way and in the same manner as cancer is being caught, these people can be helped, as was stated by the district attorney yesterday, because his word was so true along those lines, that when it reaches a point like cancer, these people can be helped. Believe me, I have been working on this now for a good 10 years and I don't even want to say it is almost impossible because I do not want to admit it but it is very difficult, but I have known hundreds and hundreds of addicts and, incidentally, Mr. Kelly who is my administrative assistant is here with me and has worked with me on this for many years. Unfortunately, we get into that 2- or 3- or 4-year addict and there are not that many recoveries. It is not even a question of total abstinence and they are not even anywhere near the amount of recovery that there should be, but if we can get this in the beginning, if we can find out in the beginning like your bill envisions, like the parents sending in a sample, then that parent can do something about it.

Now, we have agencies in the community, a whole horde of agencies, and they are in every town, and last year the county of Erie and the State of New York have set up agencies throughout the country. If a person will go for help for his sons or his daughter or husband or wife, whatever the case may be, maybe it can be effectively attacked and, Mr. Gaughan, on law enforcement, the emphasis should be on the social aspects of this problem.

So many people write letters to me and I have spoken to many groups and you have, too, I am sure, and so many people write letters to me and they say that the only way we are going to wipe this problem out is to send everybody to jail. Mr. Chairman, believe me, many, many people have been sent to jail and we have not put a dent in this problem.

They always like to pick on the judiciary. We are doing our job and I will say that there are some cases where because of higher court rulings we have to dismiss them. However, in most instances when pushers are caught, and I am talking about hard core professional pushers, we put them away but that is not a deterrent and not as great a deterrent as it should be because people want the drugs and when people want something, they will get it.

I have heard so many people say "Well, if you send enough people to jail, it will work. It won't work. Frankly, there is one society that made that theory work and we have been reading about that society over the last couple of weeks to a great degree in our media, the newspaper and television, and that was Red China.



Red China, and I am sure you have read those articles, Mr. Chairman, has wiped out their problems but they did it at a very, heavy price, a dictatorship. Millions of people were killed. I certainly do not want to pay that price to wipe out the problem and neither does anyone else in our society, our democratic society. So that there has to be a greater emphasis on doing away with the wish to have drugs and that means tackling our own problem from a family unit and an effort on our own part to do away with some of our hypocrisies and some of the ills and sores in our society. It is a fundamental approach; it is a basic approach but it is an approach which should have greater emphasis on it by all of us.

Now, Mr. Chairman, you have heard many people yesterday testify as to what effect this bill would have and I have also touched upon the fact that this is going to do a tremendous lot of good with the individual using drugs. I don't know whether you have been told the other side of the picture. You are going to make a lot of parents happy and a lot of kids are going to have the pressure taken off of them.

Mr. Chairman, I have had so many parents walk into my chambers because there are so many children on drugs and everyone is scared. I am scared. I have three kids of my own and you have children, and we are all scared. After a while some of us get so frightened because any move that they may think is wrong on the part of their children, they immediately suspect that he is a pusher or he is a drug addict and so on. The parent begins to have a strained relationship with the child and, you know, young people are extremely intelligent and extremely sophisticated these days but they still have that same basic drive anybody else had at that age.

Insofar as parents, I know that I respected my parents and sometimes I did not think they were always right but I found out later they were in most cases. At times I would do the exact reverse of what they wanted me to do, the exact opposite. I guess we can all make this kind of a self-confession, but there are times when a parent almost pushes a child into experimenting or using drugs because of pressure and suspicion at home and so on.

We have had many people walk into the office and I have had the kids come in with their parents. I had a case, and Mr. Kelly was with us that day, where this woman walked in and she had this bottle. This woman walked in and she had a daughter who was in high school and this woman was on the verge of a nervous breakdown because she was convinced her daughter was using drugs because she had found this bottle. I said "Well, let me have it" and I had it analyzed and it turned out to be some stuff they were using in the chemistry laboratory in school. I then went to the woman's house and sat down with her and her daughter and we talked the whole thing out. It just turned out to be an experiment in the chemistry class but the pressure had been heavy on this mother and it caused arguments and short tempers. The girl could have been pushed into doing something if her mother hadn't walked into my office and if we hadn't had the substance analyzed and found it to be a harmless substance.

This took place 2 years ago. This girl and her mother have kept in contact with me and I have got Christmas cards from them and, in fact, I even got flowers from her. The girl has come in to see me about three or four times since then and she is now a sophomore in college



in Ohio and she is doing very well. I honestly feel now, although you can't say positively one way or the other, but I honestly feel that this little experience, that the testing of this thing here which turned out to be harmless, did a great deal to alleviate the pressure in that family and to bring back the trust between this daughter and her mother. I am sure that this girl is going to have a very successful life.

Mr. Chairman, I have many other examples of other cases and I know that you have heard them from the other witnesses and you will hear more of them today. I wanted simply to point out this instance where we were able to determine what that substance was and as soon as we found out, we quickly could help that child. So, Mr. Chairman, I strongly again compliment you on this bill and I urge its passage.

Chairman DULSKI. Thank you, Judge.

Mr. GAUGHAN. For the record, will you tell us a little bit about your background in the field of drug addiction?

Judge MATTINA. Yes, I was an assistant district attorney for 4 years and I worked extensively in the presentation and in the prosecution of drug cases, at that time with Lieutenant Amico of the Buffalo Narcotics Squad. I was actually on the street working and also when I was an assistant district attorney I did participate in some of the raids that took place. Also, when I was a defense lawyer, I was involved in cases involving drug addiction and then when I became a judge, that was before this thing really blossomed out, as it did unfortunately, but I became quite interested in it.

I have done a great deal of research on it and that research has carried me into four successive seminars which took place during this summer. Last summer was the first summer I missed but I am going to go back again this summer. I spent 2 weeks as a volunteer worker in San Francisco and that was one of the saddest experiences I have ever had in my life and I think that really opened up my insight and great sensitivity to the problem. I urge anyone who really is deeply interested to work in one of these clinics and they will learn an awful lot.

Two years ago I was also involved in working in the communes of northern New Mexico, Tahos, and Santa Fe and that was also a rather sad experience for me. I have done much research and I have delivered papers and lectured on it.

Mr. GAUGHAN. Incidentally, these folks in the back of the courtroom, Judge, join in the welcome to your coming and are appreciative for your coming here. You have much knowledge on the subject and you will add a great deal to our record and to our knowledge.

I might also say to the people in the courtroom here today that Judge Mattina was probably one of the first voices raised in this community to start sounding the alarm on drugs. I recall distinctly hearing this alarm some years ago and paying little attention and even wondering if it was necessary. Yesterday I think it was most vividly pointed out what Judge Mattina was doing and I say it was his voice crying in the wilderness.

We had testifying here yesterday, Judge, a gentleman by the name of Fred Willis, the director of the drug abuse and research center in Buffalo, a colored man, a black man, very conversant with this problem. He is right in the center of the storm; he is out there in the black



section. He said that some years ago when this was a black problem, when it existed only in the black ghetto, nobody cared and it wasn't considered a problem at all. He said that when it moved into the white suburbs and drugs became a part of the affluent society, then it became everybody's problem and now everybody is interested. I say that Judge only to point out the fact that when you were raising your voice long, long ago about this problem, we all should have been listening. Judge, I commend you on that.

Judge MATTINA. Thank you, sir.

Mr. GAUGHAN. You mentioned in the statistical information which you gave us, which was exceedingly interesting, that these statistics concerned only people over 16 years of age?

Judge MATTINA. Over 16.

Mr. GAUGHAN. Would you tell us what is the age of the youngest addict you have had contact with?

Judge MATTINA. Mr. Gaughan, Mr. Orlando told me just last week that we had, I believe, a 13- or 14-year-old boy. I am pretty sure it was a 13- or 14-year-old-boy that was a heroin addict. That is the youngest and it happened within the last couple of weeks.

We had a very sad and a tragic scene in our courtroom just a couple of weeks ago where the parents were there and the boy was there and they had to go through that.

My clerk and my court staff witnessed this scene. These people usually get hardened after a while but I had a clerk in the court who was on the verge of breaking down to see a scene like that. You really never get hardened when anybody comes in with that type of a problem, but here was a 13- or 14-year-year-old kid with his parents completely destroyed. For the last 6 months or so their whole life was completely involved and they had to resort to petitioning the boy for a civil commitment. It is rough.

This bill, here again, can help out if you can recognize the problem early enough. Mr. Gaughan, believe me, and John Kelly or anyone will verify it, and what Mike Dillon said yesterday is so true, "Dog-gone it, once it gets beyond that point, it is tough." We have got to keep working at it. It works for Fred Willis and it pays off and we have got to keep working at rehabilitation, but up to now, it has been difficult.

I have known so many addicts, I see hundreds of them. This is not in criticism of any of the programs, thank God we have the programs, the narcotics addiction control commission, but this is a beginning and I want everybody to know that there was nothing up until the narcotics addiction control commission. There was nothing in this community up until 6 or 7 months ago. This is the beginning. We have come a long way with alcoholism and in other drug areas. Give these programs a chance but, unfortunately, I myself only know of two recovered addicts.

Mr. GAUGHAN. In all your experience?

Judge MATTINA. Yes.

Mr. GAUGHAN. You have only seen two addicts who have recovered?

Judge MATTINA. Two young women who have really recovered.

Mr. GAUGHAN. In other words, in your opinion we are in the same situation that we are with cancer, there is no cure?



Judge MATTINA. At this point. Let's give all of these programs a chance, whether it be methadone or whatever. I know there is a lot of controversy on methadone but it is helpful to a lot of people, and the professionals have testified to that. Give them group therapy, give it a chance, because at this point we don't know what we are doing. We want to try all of this and see what happens and then we can start meaningful programs but it isn't going to be done overnight. It is going to take a long time to discover which programs are most effective, but let's give them a chance.

Mr. GAUGHAN. There was testimony before this committee that at the same time that drugs were moving from the black ghetto into the white suburbs, it was also going from the college campus to the high schools. In other words, to the age levels of 13 and 14 years old and it is beginning to show up there quite regularly. Do you find that to be true?

Judge MATTINA. Mr. Kelly and I found that to be true a couple of years ago. We have been talking at high schools for going on 6 years now. We found it on the college campuses first and then we saw it go into the high schools. We even went out to a school way out 60 miles from Buffalo in a little farming community about a year or 2 years ago—it was about 2 years ago—and they had not just the marihuana problem but they also had the hallucinogenic drugs.

Mr. GAUGHAN. A rural school?

Judge MATTINA. A rural school. However, to not as great a degree as the other schools.

Mr. Gaughan, I want to make this one point and, of course, there are many who will not agree with me on this, but I have found that in the last 6 months or so there has been a leveling off of the problem. It does not mean it is diminishing, I want to make that perfectly clear, but a leveling off.

In conversations that Mr. Kelly and I have had with a variety of young people, we have found that there has been a pretty good dissemination of information in the schools. Looking at these young adults, they aren't idiots but they are smart and sophisticated. Remember, they were going on this stuff because in a way we had not given them proper information in the schools and some of the stuff we had disseminated was not true about certain drugs and many of them got disillusioned as to whether or not they should be believing what we were saying.

We have learned that at least but, more important, Mr. Gaughan, along with the education in the schools, they have learned out in the street about the dangers of these drugs. There have been too many drugs in the community and there have been too many kids who have freaked out and word has gotten around so that you don't have now that continuous upward surge that you had up until about 6 months ago.

It is leveling off. If we are about to get legislation like this and if we are able to improve ourselves, maybe we can get a decline. Maybe we can get it to start going down but it is not mushrooming as much as it was about 6 months ago.

Mr. GAUGHAN. That is good news. It was most interesting when you stated that approximately 81 percent of all the people involved in drug abuse are unemployed. Now, apparently you figured out



from that that these people need \$20,000 a day, most of which comes from crime. Would you agree that most of this money comes from crime? Would you agree, sir, that the crimes themselves will not reflect \$20,000 but that they will probably reach \$150,000 in the value of things that are taken or stolen during the course of a day in order to get that \$20,000?

Judge MATTINA. That is a large amount. I do not have the actual figures but may I point this out to you: Roughly, about 58 percent or something like that involve larceny, burglary, robbery, forgery, and so forth. That is a large amount, but 41 percent involve the sale and possession of drugs and mostly the sale of drugs. The sheriff's department and the narcotics squad of the Buffalo Police Department has been concentrating on felony matters of sales for the most part and that 41 percent has to get other people to buy their drugs, so both statistics are very revealing and very serious statistics not only as to crime but also as to getting other people to become sellers. Of course, you have to make an outlet for your drugs that are used.

Mr. GAUGHAN. In other words, if somehow or other we can wave a magic wand, roughly 50 percent of all the crime that is occurring in our community would disappear?

Judge MATTINA. Well, if you could wave this wand, that is right, that is a fair statement.

Mr. GAUGHAN. A question that has been concerning this committee and, I might say, a question that is causing a great controversy, is the subject of marihuana. There are those who say that it is not harmful and that it should be legalized. Sir, I would like to have your opinion. What do you feel about this proposition that we should legalize marihuana?

Judge MATTINA. Mr. Gaughan, I didn't know you were going to ask that question but I am glad you did. Let me put it this way: I find marihuana to be a dangerous drug. OK. I think anyone who says otherwise is wrong. It is, as far as I am concerned, as dangerous a drug as alcohol, and alcohol is a very dangerous drug. Millions and millions, if not hundreds of millions, even billions of dollars are spent and lost on alcoholism. Roughly 4 percent of our population are alcoholics. The misery and everything that goes along with alcoholism is there, and many people have latched on to marihuana as a harmless type of drug. It isn't harmless but it is not as dangerous a drug as some people want to protest it to be. It is a drug which can be used by some people in the same manner as alcohol can be used. In fact, the drugs are quite similar.

Alcohol is the drug of pleasure of the Western World. For example, most human beings need some sort of social lubricant or some degree of pleasure and in the Western World alcohol has become our drug.

It is interesting to note that in the Moslem-Hindu culture where alcohol is forbidden or prohibited not only on the religious level but also as the law of those countries, legally prohibited, the people have resorted to marihuana. It is also prohibited, but marihuana is easily available. They have resorted to cannabis as their drug of pleasure or their social lubricant.

Mr. GAUGHAN. Cannabis being marihuana?

Judge MATTINA. Cannabis being marihuana, and in the Moslem-Hindu culture marihuana is the social lubricant. In certain parts of India it is used at weddings and it is known as bhany, b-h-a-n-y. It



is purchased in the same manner as one would purchase tea and while in our culture we would toast a bride and groom at a wedding with a glass of wine, in certain states in India they toast a boy and girl at a wedding with bhany.

In those societies we have learned that there is a disease known as cannabinism. This is where the danger comes in. Cannabinism is the equivalent of alcoholism and surprisingly enough, in Egypt it affects 4 percent of the male population. A little footnote there: There was a fellow from Geneva who gave me a statistic and he said that woman's lib is not in Egypt as yet because the women are not allowed to use this drug and it reminds me of that cigarette ad that is being used. Anyway, 4 percent of the male population, which is the equivalent of the alcoholism in our society is affected by cannabinism and this statistic pretty well runs generally throughout the Hindu-Moslem culture.

If you legalize marihuana in this country, you are going to have an already over burdened society with another social problem which is the equivalent of alcoholism. Instead of having 8 or 9 million alcoholics, you are going to have 15 or 16 or 18 million people being a burden upon society because of their dependence on either alcohol or marihuana. But we can't stop right there, Mr. Gaughan, because as much as I think that the drug is dangerous, I am also concerned with the number of people who are using it.

We have been advised through Federal statistics that 30 to 35 million people are using marihuana. Let's not kid ourselves. You talk to a lot of parents and everybody wants to try the drug. Okay. Democracy operates on the basis that most people will follow the law. Obviously 20 percent of our population, whatever it is, is not following the law. That is too high a statistic and when that starts happening in a democracy, you are going to have disrespect for other laws.

Mr. Chairman, Mr. Gaughan, the 20 percent is the one example we can all point to as representing the people who do not want to follow the law and in breaking that one law, they may decide to break other laws. We had the gangster era when we had the greatest disrespect for law and the segment of society that took part in that was the greatest segment ever in these United States. That decade became known as the lawless decade. You start looking at the sixties and the seventies and I see an analogy. I see a disrespect of many many other laws by an otherwise law abiding segment of our population.

I am concerned. I think that every effort should be made to find out as much as we can about this drug. I think that these facts and information should be found out as soon as possible and these facts should be compiled as quickly as possible. If it turns out that it is as dangerous as alcohol, then you are faced with this other quadary that it may become legalized. If you were to ask me a prediction today, I feel strongly the drug is dangerous at this point and I think on that ground that if they go on using something pretty strong, in a reasonable period of time the drug will become legalized. In the meantime there is one other tragedy and I know all governments will face it.

Let's stop overly stigmatizing the young kids who are experimenting with marihuana, remember, 30 to 35 million people. You can't pick up a newspaper or see a movie where someone isn't trying marihuana or isn't using it and this is flaunting it completely. In the New York



Times, which I read on Sundays, they usually have an article on some nice young kid using it. The sons of prominent men and women are being arrested on marihuana charges and the sons of some of the less affluent men and women are being arrested; there is no distinction, it is everywhere.

I would like to see and talk to those kids who are being pressured so heavily to try marihuana. I would like to say to them that they may be being overly stigmatized by our laws at both the Federal and State levels. They should be drastically changed to reflect the social situation regarding marihuana today and the scientific knowledge available up to now. If the scientists are unable to come up with any more of a clear answer, the people will want to put it in the same category with all the dangerous drugs. Again, you are living in a democracy but if you want to legalize it at a certain point, you have at least saved a lot of stigma on the part of young people today. I am not for the legalization of marihuana at this point but I am certainly for the reduction of penalties on marihuana.

Mr. GAUGHAN. Basically, you are opposed to legalization?

Judge MATTINA. I am opposed at this point but I am in a quandary on it because of what I said about a democracy.

Mr. GAUGHAN. We had some interesting testimony here yesterday where witness after witness said they opposed the legalization of marihuana. We did hear some reservations by some of the scientific people involved where they said that there should be, as you say, a little more checking into it. However, one very interesting piece of testimony came out to the effect that the addicts, all addicts, and I am not talking particularly about heroin addicts, but to a man when asked "Do you believe in the legalization of marihuana?" they all said "For heavens sakes, don't do it, don't legalize marihuana. That's the way I started." So there must be an interesting correlation between those who are addicted now to hard drugs and the fact that all of them, and particularly those who have any mind left at all, are saying "Don't legalize marihuana."

Judge MATTINA. May I comment on that?

Mr. GAUGHAN. Yes, please.

Judge MATTINA. Mr. Gaughan, this is a legal situation. This is one of the fallacies I was talking about with young adults. We told them many years ago that marihuana was an opiate, which it is not. We told them that it was a narcotic, and that they would become dependent on it.

You have got to understand the addict. He is looking for anything. Your body is dependent upon it and really when you start nailing him down, he doesn't want any drugs. He has got to look at the scene from the overall view of drugs, and marihuana is another drug, so, as I say, understanding it and fully appreciating it from a scientific point of view and research and so on, marihuana does not lead to heroin addiction. It is not the weed itself, as many kids know, and they see it and they realize it, it isn't the weed or anything like that that leads to heroin addiction. It is the individual, the lack of stability in that person that leads to heroin and not marihuana. This is one of those things from the scientific level, the top experts in the area, and it is not so.

Mr. GAUGHAN. From your knowledge, could you comment on the fact that there seems to be some school of thought that if the circle of peo-



ple becoming involved in drugs gets larger, it is going to have an effect upon the unborn generation?

Judge MATTINA. Absolutely. A young lady I have known for years, a lovely young lady, broke the heroin habit in her 5th month of pregnancy and she gave birth to a severely brain-damaged, legally blind child. The doctors will tell you that a woman who is pregnant is not supposed to take an aspirin during her gestation period and no one will ever know what that girl has gone through with this child. In fact, that child was the reason why she recovered. She is one of the recovered addicts I am talking about. By the way, that girl is employed by one of the drug abuse centers in Buffalo and she is doing a hell of a good job. She had to put her child in the West Seneca School, a very unfortunate situation. She has to live with it. I don't think there is any question but that it affects the unborn generation.

Mr. GAUGHAN. Then, Judge, it is your opinion that the bill that we are speaking about today should be adopted by the Congress?

Judge MATTINA. If I may use the vernacular, I am with you all the way on it and wholeheartedly congratulate the Congress and all of you for putting this bill together.

Mr. GAUGHAN. Thank you, Judge. That is all I have.

Chairman DULSKI. Judge, I note the number of statistics you have cited. Could you submit a copy of that for the record?

Judge MATTINA. Certainly, I will leave a copy right here, Mr. Chairman.

(The information follows:)

COUNTY COURT, ERIE COUNTY,  
Buffalo, N.Y., January 26, 1972.

Although the Narcotic Addiction Commission on May 1, 1971, declared a moratorium, on the intake of drug users for treatment, there were a total of 621 persons who applied to the County and Supreme Courts for assistance in their problem of drug usage during the year 1971.

Some information which were obtained through interviews with the users and their families, it was found that of this group, 87 percent of the drug users were residents of the city of Buffalo while 13 percent resided in the suburban areas.

Some other information obtained was:

Nine percent required \$10 of drugs per day; 23 percent required \$30 of drugs per day; 35 percent required \$50 of drugs per day; 20 percent required over \$50 of drugs per day; 13 percent required over \$100 of drugs per day.

The length of time that they had been using drugs:

18 percent used drugs less than 1 year; 45 percent used drugs for 2 years; 19 percent used drugs for 5 years; 18 percent used drugs for more than 10 years.

The average age of the drug users were:

18 percent under the age of 20 years; 50 percent between the ages of 21 and 25 years; 19 percent between the aged of 26 to 30 years; 13 percent were over the age of 30 years.

87 percent were males while 13 percent were females and 81 percent of the total were unemployed.

Of the group, which are unemployed, are listed the crimes which they have committed to support their habit of drug usage:

41 percent were arrested for possession and sale of drugs; 25 percent were arrested for larceny; 15 percent were arrested for burglary; 9 percent were arrested for robbery; 4 percent were arrested for forgery; 1 percent were arrested for assault; 5 percent were arrested for prostitution.

It is estimated that this group, using an average of \$30 per day required approximately \$20,000 of drugs per day to sustain their habit at a cost of over \$10 million per year to the taxpayers of our county.

The record of the county and supreme court for the county of Erie shows the disposition of the following felony crimes for the year 1971:

Felony cases disposed of, 1,025.

Drug crimes (possession and sale), 223.



Drug related crimes committed by narcotic addicts, burglary ; larceny ; forgery ; robbery, 261. Total, 484.

Four hundred and eighty-four crimes committed by people addicted to drugs or 47 percent of serious felony crimes were committed by drug addicts.

This figure does not represent petty crimes or prostitution (which are committed by drug users) and disposed of in the lower courts.

Chairman DULSKI. I think you have covered the field very well. I would like to make a comment that although indirectly related to the bill, is related directly to the overall subject.

I think perhaps one of the major problems, if not the basic problem, is to eliminate the growing of plants, such as poppies, in foreign countries for illicit purposes—that, and eliminating the processing activities in countries such as France. To my knowledge these countries do not have the drug addiction problem that we do. They just make enormous profits by bringing it to our shores.

I know that I have digressed somewhat from the concept of my particular bill. The basic problem of this illegal importation is, of course, the responsibility of the entire Congress, not just the Post Office and Civil Service Committee.

Judge, in closing, I want to say that I am very glad that I live in a community where we have such a fine commissioner of police and a sheriff and people like yourself and representatives of organizations who come forward and give us the benefit of their expertise. I have no questions because you have covered the topic very well. All I want to do is commend you and wish you godspeed in the work that you do.

Judge MARTINA. Thank you, Mr. Chairman. I appreciate being invited.

Chairman DULSKI. Our next witness is the Honorable Frank N. Felicetta, commissioner of police of the city of Buffalo. Mr. Commissioner, you may come forward and you may bring your captain up with you.

Before you proceed, Commissioner Felicetta, I want to state for the record that I served in the common council, and I am extremely familiar with the fine work that has been done by Frank Felicetta as the commissioner of police. The dedication that he has given to police work has brought a great deal of credit to the city of Buffalo. He is a respected individual in the field of law enforcement, and in my opinion Mayor Sedita is to be commended when he brought him out of semi-retirement and back into police work.

I would be remiss in my duty if I did not say that he is respected throughout the entire country for the work he has done.

Mr. Gaughan?

Mr. GAUGHAN. Commissioner, for the record, sir, would you identify yourself, your name and title.

**STATEMENT OF HON. FRANK N. FELICETTA, COMMISSIONER OF POLICE, CITY OF BUFFALO, N.Y., ACCOMPANIED BY CAPT. STANLEY M. BOLAS**

Commissioner FELICETTA. Frank N. Felicetta, commissioner of police, city of Buffalo.

Mr. GAUGHAN. And, captain, would you identify yourself?

Captain BOLAS. I am Captain Stanley M. Bolas, chief of the narcotics squad, Buffalo Police Department.



Mr. GAUGHAN. Well, Commissioner Felicetta and Captain Bolas, a warm welcome to you this morning. I am delighted to have you with us and I am just going to add a few words to the chairman's statement. I served with you in the council. I might add that I, Mr. Chairman, served with Commissioner Felicetta in the police department. I believe we first came in contact with one another roughly 30 years ago and I would like to remark that he looks as young today as he did 30 years ago except for the fact that he has dyed his hair white. Other than that, there has been no change at all. I might also add for the benefit of our audience, that we have, in Commissioner Felicetta, probably one of the best police officials in this country, a man whose name, when the history of law enforcement of this area is written, will shine probably as bright as any ever connected with that branch of our Government. Few people have done so much for our community than this man sitting here this morning. We are indeed privileged to hear his testimony and add to our knowledge on this most important bill. So, Commissioner, with that I will go into our questioning.

In the discussion that we just had with Judge Mattina, he mentioned the fact that he has only witnessed in his experience a very few cured addicts, I think he said one or two. Commissioner, have you ever seen an addict that has been cured?

Commissioner FELICETTA. I have never seen a hard core addict kick his habit, and my experience goes back to the early 1950's.

Mr. GAUGHAN. May I interrupt one moment? Would you please also for the record tell us your experience in law enforcement, starting back some years ago.

Commissioner FELICETTA. Well, I joined the police department in 1929, December 3, to be exact, and I did have contact with you some years later, and I thank you for your very kind remarks.

On January 1, 1958, I was privileged to be offered the job of police commissioner. I was appointed by Mayor Sedita, confirmed by the city council and I served for 4 years, at which time I retired from the department for 4 years.

On January 1, 1962, I returned to the same job. I was offered a job by Mayor Sedita who was reelected and I was confirmed by the council, and here I am, still on the job. Incidentally I don't dye my hair white.

I would like to interrupt here, Mr. Gaughan, to say that, first of all, Congressman Dulski has been a friend of mine for many years, and that I appreciate the welcome and the opportunity to appear here this morning to give you my observations and comments on this nefarious business of narcotic drugs and narcotic addiction. I also want to commend you, Congressman Dulski, for bringing these hearings to the city of Buffalo, to the great city of Buffalo that we all love, and I am sure that some good will come out of these meetings here.

Mr. GAUGHAN. Thank you.

Commissioner FELICETTA. Now, I first became involved in this field of narcotics in 1950 while I was a captain in the fourth precinct when we were having some large crime problems and it didn't take me long to determine that those who were addicted to drugs, were causing much of this problem. Accordingly, I got involved with the Federal people and we made some arrests and I learned pretty much about this business of narcotics. I believe that the toughest job that a police officer has is to work in the field of narcotics and narcotic addiction.



On my right is Captain Bolas who in my estimation is doing a real bang-up job for a novice in this field. He has a squad now of 15 officers plus himself and a lieutenant. In the early 1950's we had a two-man squad in the police department. In those days we were dealing with some 200 narcotic addicts. Today we have some 3,000. We worked in those days with two men.

We know today that we work with 17 men and I can only conclude that we have not reversed the trend. We have not dented the surface at all. In fact, we are slowly losing the battle and it is getting to the point where something drastic is going to have to be done.

We know that the people who are addicted to drugs commit the violent crimes, 70 percent, 80 percent, maybe 90 percent of it. We know that it costs a lot of money to keep their habits going. We know they have to steal ten times the value of the item in order to get themselves the drugs they need. This goes on everyday in the year, not only in this city but every large city in this country.

I have a way, maybe a little bit illegal, but certainly I have a way to give you gentlemen some food for thought here. We all know what a leper center is. We all agree that a person who has leprosy must be isolated, taken out of circulation, and not be in association with the public. I said we have 3,000 narcotic addicts in the city of Buffalo. Now, in my estimation a person who is addicted to drugs is no less a contaminator than a person who has leprosy. This person carries a contagious disease and it is only a matter of time when his associates will also become addicted to drugs as long as they continue to hang around with this person.

I would dare say that we could lessen the crime in this country 60 and maybe 70 percent if these people, and I am talking about these 3,000 people that we can identify here locally, are taken out of circulation and isolated then and compelled to take the necessary treatment and keep them off the street. You can be sure that when they are off the street, they are not committing crime. It is farfetched, yes, but I think the time has come when we have got to do something real drastic.

I would certainly love to see some city used as a guinea pig, some city that has some installation or some institution or some island close by where they could put these people, compel them to go there, treat them, and let's try it. We have tried everything else. I am sure that what everybody is looking forward to, to decrease the amount of crime in our cities, would become a reality.

Mr. GAUGHAN. Commissioner, about three or four nights ago in the city of Buffalo, officers from your department arrested, I believe, six men carrying guns. I believe they were arrested in various parts of the city. These crimes are so recent, I know you don't yet know all of the actual facts of the matter, but would you hazard a guess as to how many of those six men were carrying guns because of being involved in heroin or other hard drugs?

Commissioner FELICETTA. I think I would have to say every one of them. During 1970 we had 18 bank holdups in the city of Buffalo. In 1971 we had 24 and so far in 1972 we have had six. Out of the 18 our department cleared 17 of them.

Mr. GAUGHAN. Out of the 18 bank robberies?



Commissioner FELICETTA. Bank holdups. This is one of the most serious crimes a person can commit. During 1971 we had 24 bank robberies and 18 of them have been cleared. So far this year we have six and four of them have been cleared. Nearly every one of these people that were arrested for committing these crimes are dope addicts. They need a lot of money to satisfy their habit.

Mr. GAUGHAN. When you say "cleared," you mean they were solved by the police department?

Commissioner FELICETTA. Solved by arrest; yes, sir.

We have a pretty serious problem today in daytime house burglaries committed, I would say, 99 percent by people who are addicted to drugs. The tragic part of it is that the people that become victims of this crime can ill afford to become victimized. They are out working; the people are out working staying off of welfare so that they can improve their lot and buy their own property. Along comes Mr. Junkie and he breaks into the home. Many times he is noticed by people in the area and they don't take the trouble to call us. When they do call us, we are too late in every instance because they have already broken into the home. They add insult to injury by first calling the taxi cab company over the victim's telephone to come over and help them transport the fruits of their crime away.

The first thing that is stolen is the television set. Unfortunately, this poor man or woman that owns this television set may still owe \$250 or \$350 on it and it is lost. On top of that, they have to pay, they have to continue making their payments.

Mr. GAUGHAN. You mean the burglars actually call a cab and have a taxicab transport them and the stolen goods from the victim's home?

Commissioner FELICETTA. Absolutely. We have taxicab drivers in that business who help them transport it from there to the fence, whoever it is that is going to buy the stolen property.

Mr. GAUGHAN. How much do they get for this \$250 television set?

Commissioner FELICETTA. The cabdriver is apprehended in many instances when the police receive the proper information and he won't give you the right time. The television set, I just said that maybe the woman still owes \$250 on it and it is sold for maybe \$25 or \$30 or \$40, only a fraction of its actual value. Many of these dope addicts have to do this three or four or five times a day. The outcome of it is that we are in bad trouble with house burglaries.

We have one addict who is doing these jobs on the east side of the city and we have another addict doing these jobs on the west side of the city where their own kind of people become the victim of crimes. We are having a lot of crime on the street where people are being mugged; people are being robbed and people are being assaulted. We wouldn't have this problem if this type of individual was taken off the street.

Mr. GAUGHAN. Commissioner, where is the general source of drugs in the western New York area? Where do the drugs come from?

Commissioner FELICETTA. I think the majority that comes into our city comes from New York City. The proof of that is in our narcotics division where they make many arrests of carriers who are transporting the cargo for the man at the top who never exposes himself. It is usually New York City.

Of course, once it gets in here from Marseilles, France, as the Congressman has alluded to, that is where their laboratories are and I certainly would like to see something done in that regard, shutting these



people off. If they don't do something about stopping these laboratories from operating, I think we should do something drastic in this Government of ours.

The other day there was a French boat that was apprehended where they found 965 pounds of pure heroin, worth something like \$140 million. This is big business—big, big business and while I am talking about big business, the officers that work in these narcotic divisions all over the country must be really dedicated, honest policemen. It is so easy for them to become contaminated. People who deal in drugs deal in big money.

I heard a police commissioner of a large city make a remark not too long ago that his biggest problem, his biggest worry is that officers who make contact with persons who peddle junk or who handle narcotics. The big operator always has a loose \$5,000 bill in his pocket and this can be tempting to some officers, and some of them maybe are contaminating others. They have no actual proof that this is happening. There have been some arrests made for attempted bribery of a police officer. The officer who works with narcotics has to be a strange breed; he has to be extremely honest and dedicated and work long hours. I know that Captain Bolas perhaps won't tell you but I know the number of hours that he and his squad works.

Mr. GAUGHAN. It has come to the attention of this committee that one of the greatest problems of police administration throughout the whole Nation today is this fact of the pusher wandering around with a loose \$5,000 bill in his pocket and he is confronted by a police officer with five or six children and just getting by on his salary. It is a terrible situation.

Commissioner FELICETTA. Of course, it is.

Mr. GAUGHAN. Commissioner, it has been suggested, and I believe they are about ready to go ahead with it in the United States, that task forces be sent to some of our larger cities. The task forces will consist of lawyers, investigators, et cetera, who will convene grand juries and investigate the communities where drugs are a major problem. Would you say, in your opinion, that Federal money would be better spent in doing something to try to stop the importation of drugs at the borders, in New York City, Los Angeles, to cut off the supplies and do something as to France, Israel, Turkey, the true suppliers of this Nation?

Commissioner FELICETTA. No. I think that the money is well spent with the task force. I know what they are going to do here in Buffalo because I have been in touch with the people that are going to take over this program. I am going to supply some manpower to them and other agencies are going to do the same thing. They are going to be geared principally to a target and, as you say, they are going to have grand jury proceedings and we are going to try to get the big man. It is not easy to get him, but they are going to have to get him through maybe some of his subordinates where immunity will be granted them and they will be compelled to testify or else they could find themselves in jail.

However, insofar as the border is concerned, this is a big country and we have a lot of border States and I think that the customs people are doing a pretty good job, but it is an impossible job. You realize the same as I do the number of ships that come into this country



and it would be economically impossible to take each one of those ships and search these ships thoroughly unless we had an army of people to do it.

Mr. GAUGHAN. Commissioner, I know you are familiar with our bill. Incidentally, I understand you have a program effective in the city of Buffalo called analysis anonymous in the police department. Will you tell us about that?

Commissioner FELICETTA. I will be glad to. In the latter part of 1970 I got the bright idea that this is a good thing for parents who find a suspected item in the possession of the child or in the bedroom of the youngster. I know the fear is that they would have to expose themselves if they contacted the police, and the average person doesn't know what to do in a situation like this. We came up with this very simple program which we call analysis anonymous where we have an envelope similar to an envelope used by a jeweler and it has a tear-off stub and the number on the stub corresponds with the number on the envelope. These envelopes are available at every one of our precincts, which number 14, and we also have these envelopes available at 50 other police departments within the county of Erie and outside the city of Buffalo. They are also available at the Norton Union of the University of Buffalo.

The orders are very, very specific, that is, the orders to our officers. The person with the suspected item goes to the police station and picks up the envelope and he doesn't have to insert the item at that time. He can walk out of there and drop the envelope at some other police station and no questions are asked of this individual at all and the instructions are very, very brief. After about 5 days the person who submitted the article calls a number and by that time our laboratory will have made the analysis and they will be able to report to this person what this was, whether it was a suspected drug or a drug they have to be concerned about, and this is done at no cost to them. I am happy to state that we have had some 500 specimens submitted to us in that length of time and 50 percent of them have been positive.

Mr. GAUGHAN. Incidentally, those figures are most interesting to us, that of the total number of samples submitted to you, 50 percent have been positive?

Commissioner FELICETTA. That is correct.

Mr. GAUGHAN. Commissioner, I know you are familiar with the bill we are considering this morning. Would you care to comment about your feeling on the bill? Do you think it is a good bill? Do you think it would augment your program?

Commissioner FELICETTA. In the city of Buffalo I don't think it is a necessary bill because we have the mechanics set up already. However, I am certain that there are thousands and thousands of remote areas in this country that do not have this facility available to them and, certainly, they ought to have some way of getting this information from an agency that will be glad to make the report available to them and give the analysis of the drugs.

Of course, if it becomes a law, it will also be law in the city of Buffalo and I will not do anything to stop this law. I have to go ahead and continue to do this but I could see some place in Dubuque, Iowa where there might not be a laboratory for 50 miles from that area and what would these people do?



Mr. GAUGHAN. That certainly is a good observation. We also had some testimony yesterday by two or three individuals who said that there are numerous people who will not go near a police station, who will not go near a police officer even when they are in great trouble. The one man they need most desperately is a policeman, but that is the last person they want to see. There are some people that think that way, unfortunately, in our city. Do you agree that that is true?

Commissioner FELICETTA. Absolutely true.

Mr. GAUGHAN. And in that sense, this bill, this proposition which provides for a tool where a person can anonymously drop something in the mail without revealing his identify in any way whatsoever, in that sense it will be good for this community or any community for that matter, don't you think?

Commissioner FELICETTA. Yes.

Mr. GAUGHAN. Commissioner, just one last question. We have had much testimony here and have asked this question of everybody because our Congress and our chairman is deeply concerned with the proposition of whether marihuana should be legalized. Do you agree that it should be?

Commissioner FELICETTA. I am violently opposed to legalizing marihuana and I can give you many reasons for it, Mr. Gaughan.

Mr. GAUGHAN. Please do.

Commissioner FELICETTA. Probably in my days in this narcotics activity I have talked to, I can safely say, a thousand or 1,500 narcotic addicts. Without exception—I want to emphasize this—without exception every person that I have ever talked to that is hooked on drugs has started by smoking marihuana cigarettes. I don't mean to tell these youngsters who are fooling around with marihuana that every person who ever smoked a marihuana cigarette eventually got into the narcotic habit with heroin; that is not so.

I am sure there are many, probably thousands, who smoked marihuana and never went any further, but the fact still remains that every person I have ever talked to that is a hard-core narcotic addict started by smoking marihuana cigarettes. Who can afford to take that gamble? I wouldn't, and if my voice can be heard by these youngsters who are present in this room here today, please don't get yourself involved. You might be that unfortunate one that can't control yourself. Your body is not satisfied now with marihuana, smoking marihuana cigarettes, and it is only a matter of time that you will go to snorting heroin and the next thing you know you commence mainlining and then you are in serious, serious trouble.

Mr. GAUGHAN. Commissioner, you state your case most eloquently. May I see that picture, please.

Commissioner FELICETTA. Surely.

Mr. GAUGHAN. For the record, Commissioner Felicetta is offering a picture of a woman whom I would guess would be approximately 17.

Commissioner FELICETTA. Sixteen years old.

Mr. GAUGHAN. Sixteen years old?

Commissioner FELICETTA. Yes. A Caucasian.

Mr. GAUGHAN. Caucasian?



Commissioner FELICETTA. A white woman, 16 years of age, a picture of her.

Mr. GAUGHAN. For the record, it is a picture with her face blocked out, showing the lesions resulting from hypodermic needles while shooting herself with drugs. For the benefit of the people here this morning, I am going to pass this picture around.

Now, when you first look at the picture, it is very difficult to see that it is even a human being. The blind portion of the picture is her face being blotted out. Look at the rest of her body there [indicating].

Commissioner FELICETTA. I was hoping you would do that.

Mr. GAUGHAN. Thank you, Commissioner. It is very kind of you to bring that to us.

Before going on to Captain Bolas, I want to welcome the group of young people who have just come in from Clarence Junior High School. I understand you are in the eighth grade. I welcome you to this hearing here in Buffalo on behalf of not only myself but the chairman, Congressman Dulski, the chairman of this congressional committee. I welcome Miss Betty Campbell, who is in charge of these young people this morning and I also welcome Miss Gaughan from Hamburg High School. Now, boys and girls, listen very closely because the hour or so you are going to be spending with us this morning may turn out to be one of the most informative hours of your lives. The boys and girls from Hamburg High School I am sure can already attest to that, but may I say to the people present here that the worst is yet to come.

Captain Bolas, you are a captain of the narcotics squad of the Buffalo Police Department, is that correct?

Captain BOLAS. Yes.

Mr. GAUGHAN. Apparently one of the real hard-core drugs we have in the Buffalo area, Buffalo and suburbs, is heroin which is apparently quite prevalent. As a matter of fact, the testimony has brought out here that there are at least 3,000 known heroin drug addicts in the area. It has been pointed out that there are probably three times that, or that there are probably twice as many as that that are unknown, so we must have 9,000 in the area. What suggestions do you have to offer this committee for combating heroin?

Captain BOLAS. Well, basically, there are three methods of combating the addiction problem. One, of course, is the prevention which involves the education at all levels of our society. The State of New York has adopted a curriculum involving the teaching of drugs to the students.

Our squad members are becoming very proficient in delivering speeches to the various organizations in this community, plus the various radio programs, and also involved would be the rehabilitation of these individuals.

Of course, we do have problems with the addicts similar to the inebriates who have in the past caused problems to various communities and some of these, as a matter of fact, just recently, speaking of an incident we had, and this is recurring, and I am speaking of Jefferson and William Street where these addicts have congregated and abused people, have deterred business. There is a total community involved in that particular area where they were just detrimental to the segments of the society in that street area.



What do you do with an individual like that? Well, basically, an addict is a sick person. I consider him a sick individual. He is dependent totally on obtaining the heroin, the shooting of the heroin into his body, and obtaining the means for this. He becomes involved in various crimes, as Commissioner Felicetta has stated just recently.

What do we do with an individual like that. We have been dealing with the alcoholics here in the city of Buffalo and various communities throughout the United States. We have had halfway houses where we have been dealing with alcoholics where you can, depending on certain circumstances, incarcerate them. You can take them to the halfway houses in most cases and often do. You take him out of the stream of the police network and you take him to the halfway house where a social worker tries to talk him into getting into the alcoholics anonymous or a detoxification center.

This same approach could perhaps apply to the addicts that are picked up on the street, getting them away from the police network. Although I am not condoning or suggesting that we put this individual in a halfway house who has committed a crime because of the circumstances, but for an individual who just lounges around and is a nuisance to society. But consistent with the program of the social approach of our society, you can put him in a halfway house and get him off the street and prevent him from becoming involved in crime.

Mr. GAUGHAN. In other words, you see the drug problem as a social problem for the most part rather than a law enforcement problem?

Captain BOLAS. There are some addicts who are just hard core, that is, it is just impossible to deal with this type of an individual. It would cost the taxpayer perhaps 10 years of their efforts and we are trying on a 24-hour-a-day basis to deal with this individual in trying to rehabilitate him.

I am a neophyte with the narcotics squad but I have had 21 years of street performance and I have made many arrests dealing with narcotic addiction and I have yet to hear one say he is fully rehabilitated.

Of course, the tests with these addicts show that approximately 2 percent become rehabilitated, and I would also suggest perhaps research in this particular drug addiction program. My comment just recently was perhaps the development of an antagonist that would involve such excruciating pain on application of a subsequent use of heroin to the individual's body that he would never try heroin again. In other words, the application of an antagonist into the system of the addict so that the future admission of heroin into the body of the individual would cause excruciating pain and he would never get into it again.

Mr. GAUGHAN. Captain, what is your attitude on methadone; how do you feel about it?

Captain BOLAS. Methadone has its pros and cons. I feel that the Sisters Hospital program—in fact, I was there looking over the facility just the other day and they have approximately 235 addicts in the program. I feel that it is a step in the right direction to a degree; that is, at least someone is trying to help these individuals. I feel that there are perhaps 235 but let's place it at half and not 235; if there were 117 or 120 individuals who are on the treatment, that means that those individuals are not committing crime on the street. In most in-



stances there wouldn't be the full complement of 235 who are not committing crime but this does help society by preventing them from abusing other people, their rights and their property.

Mr. GAUGHAN. Captain, what is your opinion about advertising on television and advertising in newspapers of drugs which are shown as being helpful, whether it is an aspirin or a cough medicine or what have you; how do you feel about that? Do you think that this is an aid to this drug culture we are living in?

Captain BOLAS. I am basically against any advertising pertaining to drugs on television programs. I feel that as the old adage goes, the advertising process certainly has proved itself. We are a drug-oriented society. I feel that the only people who should allocate to an individual any type of drug are pharmacists and doctors. You can see where we have taken the cigarette smoking advertising off of television, the promotion of cigarettes. I think this is perhaps bigger than the cigarette type of fare we have had on television.

Mr. GAUGHAN. In other words, this advertising acclimates our society to the use of drugs starting at all levels, whether it is the tranquilizer, or the aspirin or what have you, and it is your opinion that such advertising should be banned completely?

Captain BOLAS. Definitely.

Mr. GAUGHAN. Captain, we now ask you the \$64 question. There has been so much conversation and controversy in this Nation about marihuana. There are those who say it should be legalized, there is nothing harmful about it. There are those who say it should not be. Would you give us your opinion?

Captain BOLAS. I am strictly against it. I will cite the reasons. Marihuana is basically a hallucinagen. There is no conclusive evidence. It took perhaps 70 years to make a determination on the detrimental effects to the body of cigarettes. The researchers are working very hard to determine the same detrimental effects perhaps to the human body of the marihuana user.

Judge Mattina has spoken relative to cannabiniism, I think, in the Far East area. The results of the study of researchers at the Philadelphia Hospital who researched 35 people of various ages have shown the various detrimental effects of marihuana to the human body. Some people, four out of the 35 that were researched and were using marihuana have committed suicide. Some of them have withdrawn themselves from their social lives. Some have developed liver damage plus other bodily ailments. We first start out with morphine and opium and certainly we have got enough social problems in America today without adding anymore by going into legalizing marihuana. Then of course there is LSD and then it might be piote and where de wo stop from there.

Mr. GAUGHAN. Captain, I know you are familiar with the basics of our bill. Would you tell this committee what your opinion is. Do you think it is a good bill? Should it be adopted as it now stands?

Captain BOLAS. Well, I feel that we in the city of Buffalo, as the commissioner has stated, have a good policy of analysis anonymous which is an excellent idea. The people are informed by our men who go out in these various places and make their various speeches to apprise them of the analysis anonymous program in this particular area.



However, I do feel that it is a step in the right direction to have families, parents who have some samplings, who are not sure whether their children are involved or any member of the family are involved. I would say that it has some advantages.

Mr. GAUGHAN. It would help augment a program such as yours?

Captain BOLAS. Yes. I would assume that laboratory facilities would have to be developed for this particular purpose, whether it is Federal, State or local.

Mr. GAUGHAN. Captain, one last question. Approximately three or four nights ago, and I put this question to Commissioner Felicetta, approximately three or four nights ago, six men were arrested by your department carrying concealed guns in the city of Buffalo. Commissioner Felicetta said that it was his opinion that each one of those individuals probably had some connection with drugs and their purpose primarily in carrying the gun was to perform some violent crime in order to get money to satisfy their drug addiction. Do you think that is true?

Captain BOLAS. Yes; that is true. Most of our pushers in this particular area have been held up and strong armed and heroin or "staches" of heroin have been taken away from the pusher himself. Therefore, the pushers at the wholesale and retail level here in this particular area have armed themselves with guns, I would say, 100 percent to prevent theft by the addict himself who is looking for the money, who is looking for the heroin to satisfy his needs. Usually the pushers that we do apprehend normally have \$500 to \$2,000. As a matter of fact, there was one pusher who was apprehended yesterday with \$8,400 on his person.

Mr. GAUGHAN. In other words, a young person should realize that when they are doing business with a man who is a pusher, that they also must keep in mind that they are doing business with a man carrying a gun?

Captain BOLAS. That is correct.

Mr. GAUGHAN. Thank you, Captain Bolas. Mr. Chairman, that is all I have.

Chairman DULSKI. Commissioner, I have the letter which you mailed to me concerning your analysis anonymous program. I am so impressed with the Analysis Anonymous program as it operates in the Buffalo area, that I plan to place it in the Congressional Record. In this way the success of your program will be brought to the attention of legislators and law enforcement agencies in the various States. They may want to establish similar programs within their jurisdictions.

In my opinion, if the bill we are now considering eventually becomes law, it will supplement your Analysis Anonymous program. It will give the people of this community a choice as to how they want to deal with their particular problem. My bill, of course, will be of even greater assistance to communities throughout the country which have no such anonymous program.

Commissioner, you testified about the possibility of isolating hard-core addicts and attempting to rehabilitate them. I agree that removing these addicts from the streets would probably do much to reduce crime. I believe that this is something we should consider.



I am sure that you are familiar with the veterans program concerning the many men who are returning from Vietnam and are drug users or addicted. We in the Congress have made special efforts toward their rehabilitation. Millions of dollars have been appropriated by the Congress for this purpose. Incidentally, I am a member of the Committee on Veterans' Affairs which is working on this problem.

Commissioner, I want to thank you and Captain Bolas for the valuable information you have offered here. I have no further questions.

Commissioner FELICETTA. Thank you very much, Congressman Dulski. I, too, appreciate your kind comments and also your interest in bringing to the attention of your colleagues in Congress the analysis anonymous program. I would like to have you know that if they need any additional information, no matter which department is interested in this program, we will be only too happy to cooperate and work with them in getting it off the ground. Thank you once more for the opportunity to appear before this honorable body.

Captain BOLAS. Thank you, Mr. Chairman.

Chairman DULSKI. Thank you. I understand, Mr. Gaughan, that you have a request to make.

Mr. GAUGHAN. Mr. Chairman, I would like to request your permission to clear the courtroom. Ladies and gentlemen, we are now going to have brought into the courtroom a parent whose son has been badly involved in the habit. We will also take testimony from a couple of young addicts. If you will just leave the courtroom for a few minutes, we will bring them in so that they cannot be seen. They do not want to be seen from the front of the courtroom. Then you can come right back in and hear their testimony.

(Thereupon the courtroom was cleared and three individuals entered the courtroom and occupied the three witness chairs before the chairman.)

Chairman DULSKI. All right, Mr. Gaughan, you may ask the people to return to the courtroom.

Mr. GAUGHAN. All right, Mr. Chairman, everyone is in.

Chairman DULSKI. You may proceed.

Mr. GAUGHAN. Mr. Chairman, I would like now to present for testimony a gentleman whom, for the record, we will identify as James E.

#### STATEMENT OF JAMES "E"

Mr. GAUGHAN. James E., on behalf of Chairman Dulski and the members of this committee, I welcome you here this morning. We are sorry to have you here under these circumstances. Nonetheless, on behalf of the committee and Chairman Dulski, I want to thank you for your courage and for your willingness to come here today to testify about your experiences with a member of your family. I know that your purpose in being with us here today is to help other fathers and mothers, to give them some inkling or some idea what this problem is and how it can affect any family. As I say, we are most grateful, Jim.

You live somewhere in the Buffalo area; is that correct?

JAMES E. Yes; I live in the suburbs.

Mr. GAUGHAN. And you are married?

JAMES E. Yes; I am married and I have four children.



Mr. GAUGHAN. How many boys and how many girls?

JAMES E. My oldest is a boy and I have three girls.

Mr. GAUGHAN. How old is your oldest?

JAMES E. He just turned 21 this month.

Mr. GAUGHAN. And your youngest?

JAMES E. Eight years old.

Mr. GAUGHAN. And the person that we are talking about, is that a boy or a girl?

JAMES E. It is my son.

Mr. GAUGHAN. Your son?

JAMES E. Yes, the oldest.

Mr. GAUGHAN. For the record, we will refer to your son as Bill. Is that all right?

JAMES E. Yes.

Mr. GAUGHAN. I might also add that all the names and initials that we are using here are not correct. How old is Bill?

JAMES E. He is 21 years old.

Mr. GAUGHAN. And when did he first become involved with the habit?

JAMES E. I would say about 4 years ago.

Mr. GAUGHAN. And prior to his becoming involved, what kind of a boy was he, Jim? Was he a normal, average boy?

JAMES E. Yes; he was, he was a beautiful sort of a boy, he got along with everyone.

Mr. GAUGHAN. Did he have an outgoing personality, extrovert type of boy?

JAMES E. Yes; he did. He was a jovial type of boy.

Mr. GAUGHAN. He liked a lot of horseplay and kidding around?

JAMES E. That's right.

Mr. GAUGHAN. And he took part in sports and other activities that boys his age normally do?

JAMES E. Yes. He was in the Little League Baseball.

Mr. GAUGHAN. He played Little League Baseball?

JAMES E. Yes.

Mr. GAUGHAN. Prior to his becoming involved with drugs, Jim, was he a boy who presented and disciplinary problem to you?

JAMES E. Not really.

Mr. GAUGHAN. At home?

JAMES E. At home, not anymore than my daughters are presenting right now.

Mr. GAUGHAN. He would do what you or your wife asked?

JAMES E. Yes, he did.

Mr. GAUGHAN. Was he a boy that was easy to communicate with at that time?

JAMES E. I would say so.

Mr. GAUGHAN. And he communicated easily with his brothers or sisters?

JAMES E. Yes.

Mr. GAUGHAN. Now, will you please, in your own words, tell this committee how you first became aware that your boy was involved with drugs?

JAMES E. The first time that I became aware of this was a call in the middle of the night from the Canadian authorities, that he was in



jail about 30 miles from Buffalo and that I was to appear the following morning. He had been charged with possession of marihuana.

Mr. GAUGHAN. This was your first knowledge of it?

JAMES E. This was the first knowledge I had.

Mr. GAUGHAN. Prior to that time had you ever seen or found on his person or around the house or in his bedroom any substance or pills of any kind that made you wonder?

JAMES E. Why, no. I was really like most parents at the time; I was really not looking for anything of that sort and I really thought it couldn't happen in my household.

Mr. GAUGHAN. Well, you probably went up to Canada and had him bailed out, is that correct?

JAMES E. Yes.

Mr. GAUGHAN. How much did that escapade cost you?

JAMES E. Well, that escapade cost me \$1,500. They fined me \$1,000 because he had a cigarette butt at the time on his possession, and it cost me \$500 for the attorney fee.

Mr. GAUGHAN. Was that a marihuana butt?

JAMES E. That was a marihuana butt, yes.

Mr. GAUGHAN. I suppose you then brought him home.

JAMES E. Yes.

Mr. GAUGHAN. And did you talk to this boy about this?

JAMES E. Well, we had many talks and he led me to believe, of course, that this was just something he had tried, that it was in his wallet for months and he forgot it was in there. He told me that I was not to worry, that he would never touch the stuff again and just not to worry. He convinced me of this fact.

Mr. GAUGHAN. That there was nothing to worry about?

JAMES E. That there was nothing to worry about.

Mr. GAUGHAN. He said something like "You just trust me, Dad?"

JAMES E. That's right, something like "Trust me and don't worry about it. Everything will be all right."

Mr. GAUGHAN. Then, Jim, would you tell the committee what happened after that?

JAMES E. Well, it has been hell ever since. After that episode, we would watch him for different things. We would find pills or powder or some substance or tobacco and we actually searched his room when he was out of the house. We would flush it down the toilet, not knowing where to take it to have it analyzed and not knowing where to go to, and not knowing whether it was really drugs or what it was. I didn't know whether it was real tobacco or marihuana. I couldn't recognize it myself. Then there was another incident where he was picked up again with marihuana and this was much closer, and the trouble started from then on.

Mr. GAUGHAN. Now, the boy apparently started with marihuana and he went to pills and some other stuff?

JAMES E. Yes. I honestly believe he has tried them all. I don't think there is anything he hasn't tried. Of course, he never would admit it but I believe he has tried everything there is to take.

Mr. GAUGHAN. From the pills he went to what, sir?

JAMES E. He went to the hard stuff, which was heroin.

Mr. GAUGHAN. He became a heroin addict?

JAMES E. Yes, he did.



Mr. GAUGHAN. How much did that boy weigh? First of all, how tall is he, roughly?

JAMES E. He is approximately 5 feet 9 inches.

Mr. GAUGHAN. How much did he weigh prior to the time of his involvement with drugs?

JAMES E. I would say about 175 pounds.

Mr. GAUGHAN. When he was deeply into it, how much did he weigh?

JAMES E. 125 pounds. He became a beanpole and he looked the part. He was just drawn out.

Mr. GAUGHAN. There was a personality change?

JAMES E. An absolute turnaround. He became withdrawn. He wanted to argue. He wanted to fight; just a completely different person.

Mr. GAUGHAN. Did he resort to lies in his discussions with you?

JAMES E. Yes, it was one continuous lie and there was absolute distrust on my wife and myself's part. Everything he said we had to try and analyze as to whether it was the truth or not and just everything became a lie that he would say and we couldn't trust him.

Mr. GAUGHAN. So that this easygoing, straightforward boy became quiet and introverted and withdrawn. He would go to his room?

JAMES E. Yes, he would, he would go to his room and he would lock the door. We would find at the time—I don't know if it is still the thing, but burnt incense seemed to be the thing a few years ago—

Mr. GAUGHAN. Candles?

JAMES E. Candles and the works and the hi-fi set, and this is what would go on, and when we would go into the room after he would leave, the incense smell was in there. Of course, the first thing in our minds was it was to cover up the odor of marihuana, and then it would begin. Really, this has been our lives for the last few years: looking and seeking and nonbelieving.

Mr. GAUGHAN. Then there came a time when the sheriff's department got in touch with you?

JAMES E. Yes.

Mr. GAUGHAN. Will you tell us about that?

JAMES E. Yes. He got arrested again. He was with a young woman. First we were notified to come down to the police station, which was getting to be a habit. One of the sheriff's deputies called my wife and myself aside. He says "For your own good, this boy has got some needle marks on him." This was the first knowledge we had that he was on heroin, and the girl he was with was covered with needle marks. Again, he would try to convince us that they were old marks on his arm and there was nothing to worry about.

Mr. GAUGHAN. You wanted to believe him?

JAMES E. We wanted to believe him and we wanted to believe that it couldn't happen to us, that it couldn't happen to him, and this is what we tried to stick into our minds but, truthfully, down deep we knew this was the start of it.

Mr. GAUGHAN. When you would flush those foreign substances down the toilet, you were trying to flush the whole thing away?

JAMES E. Yes; but truthfully, at that time, if there was something like you people are trying to pass, we would have put something in an envelope and mailed it for analysis.

Mr. GAUGHAN. You would have been given a starting point?



JAMES E. Absolutely. If we knew at that time what it was or had an idea what it was, we would have gone somewhere, I am sure.

Mr. GAUGHAN. You would have been able to base your decisions on facts rather than the boy saying "Trust me, Dad?"

JAMES E. Right, and hope.

Mr. GAUGHAN. Did the boy also become involved with codeine?

JAMES E. Yes.

Mr. GAUGHAN. One of the things he was doing was coughing or claiming he was coughing and he would use this cough medicine?

JAMES E. Yes. We found a couple of bottles of this cough medicine, this cough syrup in his room, and he would walk around coughing and saying he had to go to take his medicine and later we found out he was drinking bottles of this cough medicine at a time to substitute for his high.

Mr. GAUGHAN. At this point in time when he was continuing to live with you, did his hours start to change?

JAMES E. Well, it was a continuous fight because the hours did enter into it and he was coming in at 2 or 3 or 4 or 5 o'clock in the morning, and my patience was running out, yet I knew he was still my son. I didn't want to throw him out on the street, and there were arguments and fights, but hours meant nothing anymore and, of course, when you are running the streets in the middle of the night or in the morning, that is the time when they go out and get their stuff, and this all entered into it. He did leave for a couple of days and he would come back and so forth.

Mr. GAUGHAN. And at one point he ran away, is that correct?

JAMES E. He ran away. He took my wife's car and ran away and he was gone for almost 2 weeks. We tried to find him. We notified the police and they couldn't pick him up for a stolen car because it was our car and, finally, we got a mental hygiene warrant out for him. Incidentally, during this time after work, I worked late every night, I would pick my wife up and we would cruise around the University of Buffalo and we would go on Allen Street and all the places looking for the car, for some way to find him, because we wanted to help him.

Mr. GAUGHAN. You wanted him home?

JAMES E. Yes; and then an incident happened, and let me tell you this, that by pure luck, or I don't know if you want to call it luck, but one evening somewhere around 11 o'clock we were cruising around the parking lot at the University of Buffalo and we were driving toward the back of an empty lot and we spotted a dome light lighted in a car. I said to my wife "It couldn't be them back there?" and she says "Drive back anyway." We drove back and the car was facing us and he was up against the building, and it was him. And we spotted him as we approached. I parked the car bumper to bumper. I got out and my wife got out on the other side, and it was them.

Mr. GAUGHAN. When you say "them," who do you mean?

JAMES E. My son and this girl he was with. The doors were locked. I tried to open the doors and my wife was pleading for him to get out. It was raining out. He started the car and she got on the hood of the car and was begging him to get out of the car and she just got off in time as he sped away throwing her off of the car. We chased him through the city at speeds of maybe 75 or 80 miles an hour and when I wanted a policeman, there wasn't any there. He did later tell me that



he was shooting heroin when we spotted him. This just came out recently.

Mr. GAUGHAN. Jim, in other words, at that point if your wife had fallen on the ground, he would have run over her?

JAMES E. Absolutely, he would have run over my wife if she had fallen on the ground. I cut my hand when I tried to pull the windshield wipers off the car so he couldn't see where he was going if he was going to go.

Mr. GAUGHAN. In other words, you are saying that he would have killed, knowingly killed his own mother?

JAMES E. Absolutely.

Mr. GAUGHAN. There came a time, Jim, when you had the boy arrested under the mental hygiene law and you went to court?

JAMES E. Yes.

Mr. GAUGHAN. As you sat in the courtroom with your son, would you tell us what your reaction was?

JAMES E. Yes. We sat in the courtroom. In fact it was with Judge Mattina who is a very understanding man and who was in here before. I had not seen him for a few days and they had brought me into the courtroom and sat me next to him just like I am sitting here right now. Really, that was the worst moment of my life to see him sitting there with his absolutely wasted body. He was thin, drawn, his wrists were all cut up where he tried to break out of the handcuffs; there he was, just a wasted body, and this was the son that I loved. This was the hardest moment of my life, sitting there and listening to the judge sentencing him to the rehabilitation center, knowing that he needed help, at that time.

Mr. GAUGHAN. Jim, where is that boy now?

JAMES E. Right now he is in his own apartment. Hopefully we go from day to day. He is on methadone; he is on the methadone program and has been on it for the last 3 or 3½ months and this is the first time in the last 2 years that I can honestly say and hope that things are looking better.

It is not easy. He has been out everyday in the week looking for a job. I have been helping him in the apartment. I am just making an average living, but he has put on weight and he looks like he is living a normal life. He comes over to the house at least once a day and he eats normal meals. Things are looking a lot better.

I know you did ask the questions before on methadone. I don't know if it is going to harm people or not. I do know it is helping him so far since he is on it. It does look like he is leading a normal life. The only thing is it is tough for these kids trying to get a job. He has gone out to try to get a job and it is tough and, of course, when you have one setback, you never know what is going to happen.

You take it day for day. A parent has other children in the family and he has to worry about them, too. People tell you you have to forget about one. You just don't forget about one. This is your life.

Mr. GAUGHAN. There has been much testimony and conversation during these proceedings concerning methadone and I know that the committee is interested in all phases of this investigation. I would like the record to show that during the course of the interview with Jim, we learned that his son was one of the people who is getting this methadone.



What happened to the young lady that he was keeping company with?

JAMES E. Well, the last time I heard, she is still an addict. She is married and as recently as a couple of weeks ago she was picked up again for selling and using heroin.

The thing that Judge Mattina said before kind of scares me. I mean, we have got to look forward to something. We are looking forward to this methadone helping him. What scares me is that Judge Mattina says that he only knows two addicts that have been cured. That is a very, very, very small percentage as far as I can see and it doesn't give us very much to look forward to really.

Mr. GAUGHAN. But you do have hope.

JAMES E. Yes, I do have hope. I have hope right now because of this program that he is on.

Mr. GAUGHAN. Jim, for the committee's benefit, would you characterize or would you tell us your feelings of how you and your family existed over the last 31½ years?

JAMES E. It has been very, very rough, really. My wife has been sick most of the time with worry. Every time the phone rings, whether it is during the day or in the evening, she jumps. Every time the bell rings at the door, she jumps. I will say to my wife and to myself "Take it easy." She doesn't know if she is going to be getting a call from the police. She doesn't know if somebody is going to be saying "Your son is dead of an overdose." Many things go through a parent's mind, and the people that think that it can't happen to them are very, very much wrong, because it can.

It has been hell for the last few years, really, because, like I say, every time the phone rings or every time you pick up the newspaper or every time you do not hear from him in a day, you start wondering and worrying.

Mr. GAUGHAN. It has been an agony?

JAMES E. Yes, it has.

Mr. GAUGHAN. What you say to the average boy or girl who says "It can't happen to me. I will start on marihuana and I will stop it?" Can it happen to them?

JAMES E. It can happen to anyone. I have three daughters, like I said before, and we pray to God every day that it doesn't happen to them. They have seen enough that has happened to their brother that I believe they are scared and they know the dangers of drugs, but it can happen to anyone and I say whether it is a drag on that marihuana cigarette or whatever they think they are doing at a party just for the kicks, it shouldn't be done.

Mr. GAUGHAN. Don't take the first step would be your advice?

JAMES E. That's right.

Mr. GAUGHAN. That is all, James.

Chairman DULSKI. Thank you, Jim.

Who supplies addicts with money to buy these drugs? Where did your son get the money to buy these drugs?

JAMES E. Well, thank God he has never been arrested for robbery or larceny or stuff like that. He sold an amplifier system which he had and there were many small things in the house that were missing. We are sure that is where it went. I don't know. He has never been picked up for selling.



Mr. GAUGHAN. Did he ever forge checks with your name?

JAMES E. No, he didn't forge checks.

Mr. GAUGHAN. Did you ever give him permission to cash a check?

JAMES E. No. He opened his own checking account with his name on the checks and, it is unbelievable, but he went to drugstores and gave them a hard luck story like he was recovering for 2 years from an accident and hard luck stories like that and he was with this girl all this time. It is unbelievable how many people will cash a check from \$25 to \$50, will cash a check for someone with really no identification. He would just cash a check; he would buy a couple of items and they would cash the check. Where he got blank prescriptions blanks, I do not know but he can sign a prescription blank like a doctor and get all he needed at the drugstore. Once he wrote a check which I had to make good for at one of these places.

Chairman DULSKI. There must be some supply of funds for him to be able to buy these drugs. You heard the testimony here today that the price of the habit is pretty high: \$10, \$30 or \$50 a day. There must be some source that is supplying him with funds to purchase these drugs?

JAMES E. Well, I still believe—I don't know his classification or whether he is classified as a hard addict or one starting out or after 4 years or so forth, but I don't believe he was that far where he needed that much money per day to take care of his habit.

Now, I found out, like I said before, a bottle of this cough medicine, just ordinary cough medicine, and it takes the place of a high. So as far as these drugs are concerned, there is a way of them getting by. I don't know if he had a prescription for pills and then he got the pills and sold the pills to get money to buy the heroin. I don't know.

Chairman DULSKI. I want to commend you and I want to encourage you to keep up the faith and hope and I am sure that the good Lord will help you. With the good family background you have and with the family you are trying to bring up, I am sure everything will come out all right.

Mr. GAUGHAN. Jim, no words that I can say can express the gratitude of myself and of Chairman Dulski and the members of the committee for your coming here and sharing your experiences with us. All I can tell you is that our prayers and our best wishes go with you and your wife and your boy.

JAMES E. Thank you very much, Mr. Gaughan.

Mr. GAUGHAN. Mr. Chairman, we have our last two witnesses who will also testify now anonymously. Both are addicted to heroin. For the record, the young lady will be referred to as "Miss X" and the young gentleman as "Mr. Y." They have kindly consented to appear here today in the prayerful hope that their experiences may help cast light upon the problem and give us some insight into the lives of people addicted to hard drugs.

We want you to know that we appreciate your being with us here today. I am going to ask you a few questions.

#### STATEMENT OF MISS "X" AND MR. "Y"

Mr. GAUGHAN. Miss X, how long have you been on heroin?

Miss X. Three years.

Mr. GAUGHAN. What other drugs have you used?



Miss X. I have tried just about everything.

Mr. GAUGHAN. For example?

Miss X. Well, marihuana, speed, LSD, hash, cocaine.

Mr. GAUGHAN. Miss X, what crimes have you been involved in?

Miss X. Prostitution, shoplifting. Mainly prostitution.

Mr. GAUGHAN. Mainly prostitution?

Miss X. Yes, and dealing.

Mr. GAUGHAN. Dealing with drugs?

Miss X. Yes.

Mr. GAUGHAN. Are you presently under arrest?

Miss X. I have two cases. I have been on methadone now for 20 days.

Mr. GAUGHAN. You have been on methadone for 20 days?

Miss X. Yes.

Mr. GAUGHAN. How much time have you spent in jail, Miss X?

Miss X. Actually only about 8 months.

Mr. GAUGHAN. Only 8 months?

Miss X. Yes. It could be longer.

Mr. GAUGHAN. What was the first drug you ever took?

Miss X. Marihuana.

Mr. GAUGHAN. Marihuana?

Miss X. Yes.

Mr. GAUGHAN. Then you are presently on methadone?

Miss X. Yes.

Mr. GAUGHAN. Does methadone seem to be helpful?

Miss X. Yes.

Mr. GAUGHAN. Do you think that with the assistance of the methadone program that you will be able to rid yourself of the habit?

Miss X. I hope so.

Mr. GAUGHAN. You really want to get rid of it?

Miss X. Yes.

Mr. GAUGHAN. Do you regret ever starting it?

Miss X. Yes.

Mr. GAUGHAN. Would you recommend to anybody, boy or girl, to stay away from drugs?

Miss X. Definitely.

Mr. GAUGHAN. Every bit of the drug scene?

Miss X. Yes.

Mr. GAUGHAN. Marihuana and the whole bit?

Miss X. Right. I mean, I started on marihuana. People say marihuana leads to heroin. The basic thought of that is true, but in my case it was pills between and everything else, but it is true that you are always looking for something better or a better high, you know.

Mr. GAUGHAN. In other words, the marihuana, after you got used to that, your body starts to tolerate that and you want a bigger high?

Miss X. Yes.

Mr. GAUGHAN. When you are on heroin, how much money a day do you need to support your habit?

Miss X. \$80.

Mr. GAUGHAN. \$80 a day?

Miss X. Yes.

Mr. GAUGHAN. You get that money by prostitution?

Miss X. Yes.



Mr. GAUGHAN. You would pick up any man you could on the street any place at all?

Miss X. Yes.

Mr. GAUGHAN. And you do anything at all just to get that money?

Miss X. Yes.

Mr. GAUGHAN. That was all you lived for?

Miss X. Yes.

Mr. GAUGHAN. Are you married?

Miss X. Divorced.

Mr. GAUGHAN. You were married?

Miss X. Yes.

Mr. GAUGHAN. Do you have any children?

Miss X. No.

Mr. GAUGHAN. Now I will ask some questions of Mr. Y.

Mr. Y, was called as a witness by the subcommittee and testified as follows:

Mr. GAUGHAN. Mr. Y, how long have you been on heroin?

Mr. Y. About 1 year.

Mr. GAUGHAN. What other drugs have you tried, sir?

Mr. Y. Marihuana, speed, acid, LSD, cocaine.

Mr. GAUGHAN. Mr. Y, what crimes have you been involved with?

Mr. Y. Just possession.

Mr. GAUGHAN. Possession?

Mr. Y. Yes.

Mr. GAUGHAN. Possession of what?

Mr. Y. Drugs.

Mr. GAUGHAN. Are you presently under arrest?

Mr. Y. I got two cases.

Mr. GAUGHAN. Two cases pending against you?

Mr. Y. Yes.

Mr. GAUGHAN. Have you spent time in jail?

Mr. Y. 1 day.

Mr. GAUGHAN. You are presently using heroin?

Mr. Y. Yes.

Mr. GAUGHAN. When did you get your last fix?

Mr. Y. About 1 o'clock this morning.

Mr. GAUGHAN. 1 o'clock this morning?

Mr. Y. Yes.

Mr. GAUGHAN. How much did it cost you?

Mr. Y. \$20.00.

Mr. GAUGHAN. How much do you need a day to support your habit?

Mr. Y. From 8 to 10 bags a day.

Mr. GAUGHAN. Eight bags or 10 bags a day?

Mr. Y. Yes.

Mr. GAUGHAN. Bags generally sell for about \$10 apiece?

Mr. Y. Yes.

Mr. GAUGHAN. So you need \$80 to \$100 a day to support your habit?

Mr. Y. Yes.

Mr. GAUGHAN. Would you like to kick it?

Mr. Y. Yes.

Mr. GAUGHAN. Have you found that your whole life now revolves around drugs; that your whole existence is just finding the wherewithal to get that next fix?



Mr. Y. Yes.

Mr. GAUGHAN. Do you regret having gone into the habit?

Mr. Y. Yes; on a whole bunch of drugs.

Mr. GAUGHAN. A whole bunch of drugs?

Mr. Y. Yes.

Mr. GAUGHAN. Did you start out on marihuana?

Mr. Y. Yes.

Mr. GAUGHAN. That was your first?

Mr. Y. Yes.

Mr. GAUGHAN. What would be your advice, sir, to young people, young men or young women, at a party, people around a joint? What is your advice to them.

Mr. Y. Well, the best thing for them to do is walk back out the door as soon as they come in contact with it, you know.

Mr. GAUGHAN. To use the vernacular, to get the hell out of there?

Mr. Y. Right.

Mr. GAUGHAN. At this moment you have not had a fix since 1 o'clock this morning. Are you suffering from withdrawal symptoms and pains right now.

Mr. Y. Yes.

Mr. GAUGHAN. Unless you have a fix pretty soon, you are going to in trouble?

Mr. Y. Right.

Mr. GAUGHAN. Mr. Chairman, that is all.

Chairman DULSKI. I have no questions. The only thing I wish to say is that I do not know how to thank these two young people enough for the contribution they have made to these hearings. We can listen to and learn from those who are in the law enforcement field and in the judiciary, but these two young people, who have come here voluntarily today, have made a great contribution. They have come forward to give us this information recognizing that they are victims of a disease. Their testimony carries great weight.

The bill which I have introduced is only a small tool in the fight against drug abuse, but it is my every hope and prayer that it is a ray of hope for the future.

I know that many people do not like to listen to lectures but I am going to lecture anyway. You are a fine looking boy and you are a fine looking girl. It is going to take a great deal of courage on your part to come back into a normal life. All I can say is God help you in your striving.

Mr. GAUGHAN. Mr. Chairman, I have one more question. Miss X, I know you are familiar with this bill we have under consideration where a parent or other concerned person may be allowed to mail a sample and get an analysis of a substance so he can be helped as to knowing what to do. Is it your advice to this committee that this bill be adopted?

Miss X. Definitely.

Mr. GAUGHAN. Do you think it is a good bill?

Miss X. Definitely.

Mr. GAUGHAN. Mr. Y?

Mr. Y. Oh, yes.

Mr. GAUGHAN. You think it is a good bill?

Mr. Y. Definitely, yes.



Mr. GAUGHAN. Do you know, of all the expert testimony we have had about this bill, I think you two people saying that this bill should be passed should carry more weight than almost all the other testimony put together.

Miss X. I hope so.

Mr. GAUGHAN. Well, again, on my behalf and on behalf of the committee and Chairman Dulski, you both have our prayers and best wishes. You two people may now leave the room.

(Thereupon the witnesses left the room.)

Chairman DULSKI. To the boys and girls in the audience, we are now coming to the conclusion of our testimony. Before you leave, may I say that I hope that you have listened and listened most attentively to what has transpired here this morning. I know that you hope and pray that you will never see the day when your mother or your father will have to come into a courtroom and hide his head or his face so as not to be seen while he testifies.

You heard the testimony of these two young addicts. This young man, unless he has a fix within the hour, will start to go out of his mind.

Keep this morning, keep this hearing in your memory. If we have impressed you, you alone, with the terror of these monster drugs and drug addiction, then we have accomplished a significant part of our job.

We have come to the conclusion of the hearings in Buffalo. During my tenure in office I have presided over many hearings and in all honesty, I cannot recall one other hearing with testimony that was so informative and as detailed as that which I have heard today and yesterday. The witnesses who have testified, both public figures and private citizens, are great persons. Some of them have testified at a great personal sacrifice and anguish and are to be commended most highly for the complete candor of their testimony. I assure them that their views will be most helpful in the consideration of this bill.

Since this hearing began, many other citizens in both the public and private sector have expressed a desire to be heard. There is no doubt in my mind that the testimony that they would offer would be extremely valuable. However, the press of other congressional duties requires the closing of our hearing here today. I wish this were not necessary. However, I believe that additional testimony is needed. Therefore, any interested party or persons who wish to make their views known may do so by submitting his or her statement to the committee and I will keep the hearing record open for the next 2 weeks for that particular purpose.

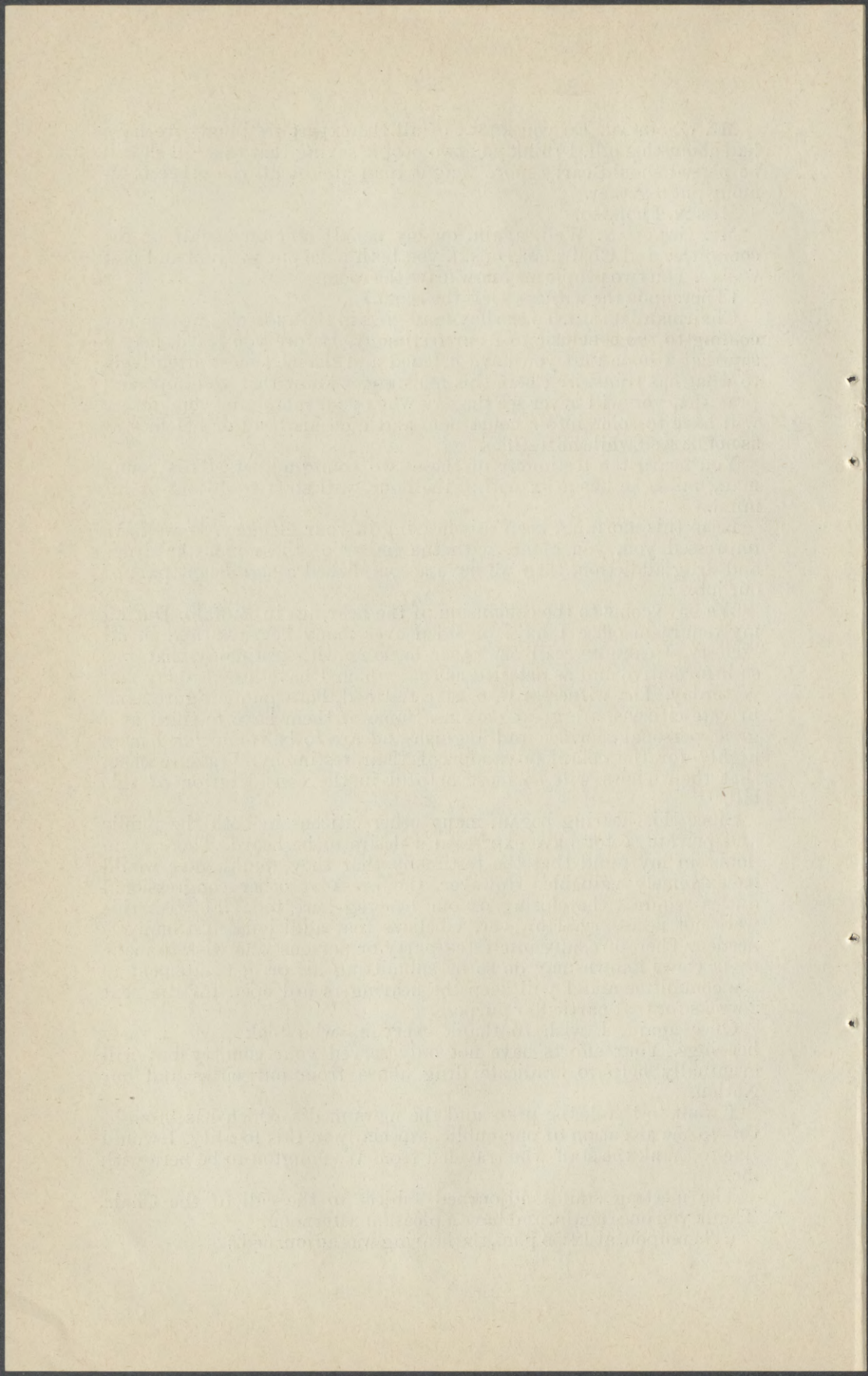
Once again, I wish to thank everyone who took part in these hearings. Your efforts have not only served your country but will eventually help to eradicate drug abuse from our cities and our Nation.

I want to thank the press and the news media which has brought this to the attention of our public, especially in this locality. I would like to thank the staff who traveled from Washington to be here with me.

The meeting stands adjourned subject to the call of the Chair. Thank you once again, and have a pleasant afternoon.

(Thereupon, at 12:55 p.m., the hearing was adjourned.)







## MAILING OF DRUG SAMPLES TO GOVERNMENT OFFICIALS FOR ANALYSIS

FRIDAY, APRIL 14, 1972

U.S. HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INVESTIGATIONS OF THE  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The subcommittee met at 10 a.m., in the Los Angeles Federal Information Center, 150 North Los Angeles Street, Los Angeles, Calif., Hon. Charles H. Wilson (acting chairman) presiding.

Present: Hon. John R. Rousselot, California; Vincent M. Gaughan, staff director and special counsel; George B. Gould, staff assistant; Edward T. Hugler, investigator; and Tony Raymond, staff assistant.

Congressman WILSON. The meeting of the Investigations Subcommittee of the Committee on Post Office and Civil Service will now come to order.

I am Congressman Charles Wilson from Torrance and on my right is Mr. John Rousselot, who represents the 24th District in Antelope Valley.

Congressman ROUSSELOT. Now, it will be Antelope Valley and it had been San Gabriel Valley.

Congressman WILSON. Since I have been in Congress, many problems with national impact have come to our attention. Many of them initially appear to be without a solution. However, the Members of the House of Representatives and the Senate, with the help and cooperation of civic-minded citizens and organizations, have in most cases arrived at satisfactory solutions.

We are all aware of the major problems presented by the use of narcotics and dangerous drugs. The use of such dangerous substances appears to be increasing, particularly among the youth of our Nation, our sons, and daughters.

Not only is the continued and habitual use of such substances physically and psychologically debilitating, but frequently the very dollar cost of obtaining these leads to crime.

Various efforts, some successful and some unsuccessful, have been made by parents, individuals, organizations, and law-enforcement agencies, to combat the use of drugs.

In January of this year, Congressman Thaddeus J. Dulski, Chairman of the Committee on Post Office and Civil Service, introduced a bill, H.R. 12383, which would permit persons to mail substances, suspected to be dangerous drugs, to a Government agency for analysis purposes. The bill requires that the person mailing the substance remain anonymous. Present law prohibits the mailing of drugs, and this bill would grant an exception.



Unfortunately, there is on the part of many individuals a distrust and lack of confidence in personally dealing with law-enforcement agencies. Such reactions are without foundation in the vast majority of cases. However, it does exist and must be recognized. The element of anonymity, therefore, is essential.

One way to overcome this difficulty would be to permit concerned persons to use the mails anonymously as provided in Congressman Dulski's bill. They could select their own six digit number, together with the date, and mail it to the agency. After the lapse of perhaps 1 week, they could telephone the agency, identify themselves by the code number and date, and be advised of the analysis.

The Chairman recognizes that should this proposed legislation be enacted, it would not solve the entire problem, but would be a step in the right direction. Hopefully, additional related legislation will be proposed which will assist us in arriving at the complete answer.

We are very honored this morning to have as our first witness Chief Jack E. Collins, the acting chief of police of the city of Los Angeles. Chief Collins is limited in his time, and I want to apologize for our delay, Mr. Collins, in getting you started.

Mr. Rousselot, did you have a statement before we hear from Chief Collins?

Congressman ROUSSELOT. Yes, but because of the time limit, let me just put it in the record and we can discuss some of my points later.

Chief Collins, I want to apologize also for keeping you. We have had some questions we had to answer and we apologize. So we will let you go ahead and we know you have to leave at 11 o'clock and I will revise and extend my statement and bring out some of my points later.

We are really very, very grateful to you and Chief Davis for coming here to discuss this legislation with us.

**STATEMENT OF HON. JACK G. COLLINS, ACTING CHIEF OF POLICE, CITY OF LOS ANGELES, CALIF., ACCOMPANIED BY COMDR. C. D. REESE, ASSISTANT COMMANDING OFFICER OF THE BUREAU OF SPECIAL INVESTIGATION; DEWAYNE WOLFER, CHIEF FORENSIC CHEMIST OF THE SCIENTIFIC INVESTIGATION DIVISION; AND MICHAEL GUY, INVESTIGATOR, ADMINISTRATIVE NARCOTICS DIVISION, CITY OF LOS ANGELES**

Acting Chief COLLINS. Thank you very much, and it is a pleasure for us to be here.

Mr. GAUGHAN. Chief, before you go into your statement, I just want to identify you for the record. Would you, please, identify yourself for the record.

Acting Chief COLLINS. Jack G. Collins, assistant chief of police, city of Los Angeles.

Mr. GAUGHAN. And you are accompanied by?

Acting Chief COLLINS. I will introduce the people at the table.

Mr. GAUGHAN. All right, would you, please.

Acting Chief COLLINS. Yes.

To my immediate right is Comdr. C. D. Reese. He is the assistant commanding officer of the bureau of special investigation, that is the bureau in which the administrative narcotics division is organization-



ally located. He is here as my research person, as an expert in narcotics. Until recently, he was the commanding officer of administrative narcotics division.

To Commander Reese's right is Mr. Dewayne Wolfer, the chief forensic chemist of the Los Angeles Police Department Scientific Investigation Division.

To Mr. Wolfer's immediate right is investigator Michael Guy, an investigator from administrative narcotics division, a person very familiar with the juvenile narcotic problem in the city of Los Angeles.

First of all, let me say that Chief Davis is very sorry he was unable to be here. It seems kind of funny, you are here in Los Angeles talking to us and he is in Washington talking to other people. So he sends his apologies. He did intend to be here, but at the last minute the meeting in Washington was extended 1 day.

He has asked me to make a statement stating the position of the Los Angeles Police Department on this particular bill known to this committee. I have a short prepared statement.

The Los Angeles Police Department shares the concern of Congressman Dulski about the increasing drug problem, particularly among young people and recognizes the sincere intent of the proposed bill. However, we cannot lend our endorsement, as it is our belief that the provisions of H.R. 12383 are not consistent with the best interest of the city of Los Angeles, its citizens and law enforcement.

Presently, the mailing of substances described in chapter 30, title 39, United States Code is prohibited.

The proposed legislation would provide a heretofore unavailable defense to persons arrested for trafficking drugs through the mail.

If the bill were enacted, the prosecution may be required to prove that a defendant in a drug-mailing case had knowledge that the recipient was not an official authorized to receive the drug. It must be anticipated that the response from drug purveyors and abusers would be high.

This service would provide a no charge, prosecution-safe analysis of a pusher's illicit wares.

The price of illegal narcotics and drugs is dependent upon their purity. The Los Angeles Police Department could be placed in the untenable position of being a party to a narcotics transaction by providing a vehicle for the establishment of prices for illegal drugs. The Los Angeles Police Department has a policy of unprejudiced pursuit of persons engaged in felonious activity. Providing the service of analysis to possessors of illegal drugs, with no attempt to identify and prosecute the owner, would not be in keeping with this policy.

Use of illegal drugs by nature is a clandestine activity.

Drugs are packaged, secreted, and used in a manner inconsistent with normal behavior.

Any parent discovering a concealed, unusually packaged or foreign substance, would need only minimal knowledge to identify it or recognize that it is a nonprescription drug. The experience of the Los Angeles Police Department is that parents do not commonly seek positive identification of suspected items. It would appear that a legitimate public response for this service provided by this bill would be minimal.

Many parents do, however, contact the department seeking help for a child involved in drug use. H.R. 12383 does not address itself to the



question that many parents are asking; and that is: Now that I know my child is involved with drugs, what do I do?

On occasion, the Los Angeles Police Department provides a service similar to that proposed by Mr. Dulski. Parents may bring suspected substances to investigative officers who will offer their expert opinion as to the content.

Except under aggravated circumstances, juvenile drug offenders brought to our department's attention under such circumstances are not taken before a magistrate.

H.R. 12383 makes no reference to funding in order to handle the job of analyzing, filing, and replying to the public. Currently, the Los Angeles Police Department's laboratory facilities are working at capacity. To institute Mr. Dulski's proposal would require a budget increase, funded by the taxpayers of Los Angeles, for additional manpower and equipment. The expressed intent of the proposed H.R. 12383 is certainly laudable. However, the Los Angeles Police Department is of the opinion that the service it would provide is of limited value. The probability that it would be misused is unquestionably high. We, therefore, recommend against its enactment.

Thank you very much.

Congressman WILSON. Thank you, Chief Collins.

Mr. Gaughan, do you want to start the questioning?

Mr. GAUGHAN. Yes, Mr. Chairman.

Chief Collins, before going into the specifics of our bill, I would like to propose some general questions concerning the illegal use of drugs, particularly in the Los Angeles area. In this way, when we write our report for the full committee, we will be better able to relate your reactions and your conclusions to the full context of the proposed bill. This will give our committee members and the Congress a more rounded picture and assist in our conclusions and recommendations.

Chief, I would, first, like to ask you: Could you tell the committee the approximate number of addicts in the Los Angeles area?

Acting Chief COLLINS. I couldn't tell you for sure and I am certain that no one else can tell you for sure.

Generally, we hear talk of 40,000 in the Los Angeles County area. These are statements that are made by some people who conduct studies and surveys. But anyone that tells you that they know how many are in Los Angeles is misinformed.

Mr. GAUGHAN. Is the number, to your knowledge, on an increase in the area?

Acting Chief COLLINS. Well, again, I can't say whether it is. Until rather recently, arrests for narcotics were increasing. Just recently, arrests for narcotics in the city, have decreased.

Generally speaking, the narcotic problem is measured, at least in law enforcement, by the number of arrests you make. It is very similar to juvenile delinquency. How much juvenile delinquency do you have in your community? It depends on how many arrests you make. How do you know whether a juvenile or an adult committed a crime? You don't until you make an arrest. It is the same way with narcotics.

So from our arrests, we show a slight decrease in the past couple of years.

Mr. GAUGHAN. In other words, it would appear that the problem is stabilizing or possible decreasing?

Acting Chief COLLINS. Well, these are only guesses, but it is possible.



MR. GAUGHAN. What drugs are your biggest concern; what do you find are the most popular drugs?

Acting Chief COLLINS. Probably Commander Reese should address that problem to you.

Commander REESE. Probably barbiturates are the greatest overall problem as far as consumption and widespread, throughout society use. There is a large span, a spectrum of use of barbiturates. Amphetamines are also large and marihuana is large.

But as far as hard narcotics, I would imagine that heroin remains the favorite so to speak, although the character of drug trafficking in southern California has changed radically in the last several years.

In law enforcement, we have to sort of look at it tactfully rather than philosophically. A drug trafficking ring is dependent on its lines of communications and transport. And with the merging of more airlines and traffic to South America, cocaine is greatly on the increase. Six or 8 years ago, cocaine was almost nonexistent as a problem in the Los Angeles area. It was a drug of the affluent and used to be used in the old days during the bank robbery era, during the thirties, as a drug, since it is an excitant to get someone up for a violent crime.

We had almost none in the southern California area until a few years ago. We have been making seizures of two kilos at a time, in conjunction with other law-enforcement agencies in the area. We have made arrests in which there were from eight to 10 suspects in a ring. We have arrested them for conspiracy, found that on one arrest in the Hollywood Hills, 14 ounces of heroin, about 20 ounces of cocaine, 250,000, I believe it was, units of LSD, some measure of other hallucinogenic substances plus marihuana in kilo amounts. No arrestee in this instance was over 30 years old.

A student, at one of our colleges, in this instance, started out with \$2,000 that his father had sent him out here in California to go to college for spending money and his tuition was already paid and he began by shipping marihuana, branched to heroin, finally went up to the San Francisco Bay area and they had a great variety of all the drugs. It is our contention that the trafficking that will afford an ingress for heroin in the country will also afford others, hashish and other drugs.

MR. GAUGHAN. Chief, could you give the committee an approximation on the percentage of crime that is drug-related in your area?

Acting Chief COLLINS. Well, here again, you are asking for guesstimates. These are very difficult things. We read the same things that you read; 50 percent of the crimes against property are committed by persons who have a drug habit to support, and so forth.

We think that in talking to arrestees, that this probably isn't too bad a figure, but we can't be certain of that. We can't be certain, because we don't—

MR. GAUGHAN. You don't keep any records of that?

Acting Chief COLLINS. Well, we, of course, interview the arrestees. But really in crimes against property, you don't solve that large a percentage of crimes.

Congressman ROUSSELOT. What you are saying is that statistics that you keep are not an exact science?

Acting Chief COLLINS. I think that would be a good statement, Mr. Rousselet.



Mr. GAUGHAN. Is there any specific type of crime that you find that drug addicts are most likely to involve themselves in?

Acting Chief COLLINS. Well, if we are talking about addicts, there are crimes against property. They are trying to make enough money to support habits.

Mr. GAUGHAN. Shoplifting?

Acting Chief COLLINS. The car clouts, burglaries, thefts, these kind of things, forgeries.

Mr. GAUGHAN. How much does it cost an addict to support a habit in this area, say, an addict that is pretty much hooked?

Acting Chief COLLINS. I don't know. I am not trying to be evasive and I am not trying to be hard to get along with. I hope you understand that we just don't know the answers. It might run from \$30 a day or to weaker figures, or \$100 a day, we are not certain how much it costs. Is that a reasonable answer, Commander Reese?

Commander REESE. If the price of heroin is good, that is, if it is plentiful and they can get it for \$3 a cap. There are 10 caps to the gram. If a guy is shooting two grams a day, he is going to be shooting about \$60 a day. That is when it is cheap.

If there is a panic on or operation intercept is causing momentary slacking of supply, it is going to go up.

I personally have had experience where a young couple did nothing but shoplift for 14 to 15 hours a day to support a habit that cost them \$150 to \$175 a day.

Congressman ROUSSELOT. That is a specific case?

Commander REESE. That is a specific case. It was a young couple that were both hooked to the tune of a gram and a half to two grams a day.

Mr. GAUGHAN. We have had some testimony from law-enforcement agencies to the effect that it runs between \$50 to \$100 a day. Would you say that is a reasonable estimate in this area?

Commander REESE. If you are talking about real hard addicts, yes.

Mr. GAUGHAN. Heroin addicts.

Mr. REESE. Yes.

Mr. GAUGHAN. How many arrests were made in the Los Angeles area during the last year?

Acting Chief COLLINS. We have an exact figure of roughly 21,000 adults and about 6,000-plus juveniles.

The adult figure is 21,737.

Congressman ROUSSELOT. And roughly a little over 25 percent of the arrests are juveniles?

Acting Chief COLLINS. Yes.

Congressman WILSON. This is the city you are talking about?

Acting Chief COLLINS. This is just by the city of Los Angeles.

Congressman ROUSSELOT. This does not count the sheriff arrests?

Acting Chief COLLINS. No, it does not count the sheriff arrests or any other municipality within the county.

Mr. GAUGHAN. Chief, in what age level do you find the greatest concentration of arrests in narcotics?

Commander REESE. It would be young adults. There is a general belief, and it has been one based on experience, that if a man lives long enough or a person lives long enough, when they are addicted, not



because the heroin itself debilitates them, but because their life style changes and becomes debilitated, emotional disturbances and so forth, tapers off when they get into the thirties, and many of them cure themselves or they go on such things as the methadone program. They just become sick and tired of their way of life.

Mr. GAUGHAN. Yes.

Is the age level going down; do you find it is stabilizing or what?

Mr. GUY. Again, are you talking about the heroin addict or are you talking about drugs in general?

Mr. GAUGHAN. Drugs in general. If you can break it down into specific drugs, that would be fine.

Mr. GUY. Well, the people handling the methadone maintenance program feel that their patients, if you will, are coming down a little bit to 34, 35, and even down to the low thirties. The other usage, I think, is coming down in the young adults. It varies on the drugs.

You don't find 30-year-olds, 25-year-olds taking barbiturates, generally. But you will find them more in the hallucinogenic drugs. Then the 20-to-30 range is in heroin. Hallucinogenics are more common among young adults. It varies from drug to drug and area to area as well.

Mr. GAUGHAN. We have had some testimony to the effect that it is getting into the junior high school level. Would that be true in this area?

Mr. GUY. Well, I think it has been in the junior high school area and is now somewhat leaving. We saw it in 1967 and 1968 in the elementary level. It was not uncommon in 1967, 1968, and 1969, which were the peak years as far as juvenile arrests were concerned. Many arrests were in the fourth-, fifth-, and sixth-graders.

Congressman WILSON. Would this be marihuana, or are we talking about barbiturates?

Mr. GUY. Namely, the dangerous drugs and the amphetamines. As our arrests have changed considerably in numbers, marihuana arrests have remained fairly constant for the last 4 or 5 years. The major increase is in the others, and now we see a decrease—some 2,700 juvenile arrests in the last 2 years in the dangerous drugs.

Congressman ROUSSELOT. Is that level of activity still maintained at the 1968, 1969 level in the junior high and grammar school level, now?

Mr. GUY. This seems to be where the decrease is.

Congressman ROUSSELOT. The decrease has risen?

Mr. GUY. It is in the elementary and junior high school level and not quite as great a decrease in the high school level.

Congressman ROUSSELOT. High school level is still a problem.

Mr. GUY. Right.

Mr. GAUGHAN. Will one of you gentlemen tell us what, generally, is the source of supply for the Los Angeles area for hallucinogenic drugs?

Acting Chief COLLINS. Most of the hard narcotics come from south of the border, come in here from Mexico.

Congressman ROUSSELOT. Chief, roughly what percentage would you say comes from Mexico?

Acting Chief COLLINS. Roughly 80 percent.

Congressman ROUSSELOT. Eighty percent?



Acting Chief COLLINS. Much of the European heroin that comes in here comes through Mexico. It might start there, but it comes through Mexico.

Mr. GAUGHAN. Chief, you made a very interesting statement in our conversation the other day about La Mesa Prison. Would you tell us about that situation in Mexico?

Acting Chief COLLINS. Well, this is one of the problems that law enforcement has in this area. In testifying, recently, in fact Monday, before the Commission on Marihuana and Dangerous Drugs, I pointed out to them that one of the problems faced by law-enforcement officers in this area is sort of a discouraging thing, in that the standards of performance and the integrity of officials and the system of other countries, are not the same as here. We were applauding any efforts being made by the Federal Government to raise that in foreign countries, and certainly to decrease the amount of opium coming out of other countries. And in talking about that, we mentioned that in one case after another, in the southern California area, we found that the source of supply is a person who is doing time in the penitentiary not too many miles south of the border. This is kind of a strange situation. When a man that we can find in a penitentiary, can run a big narcotics ring. But that just happens to be the facts of life.

Congressman ROUSSELOT. From Mexico?

Acting Chief COLLINS. From Mexico, yes.

Mr. GAUGHAN. Chief, when you do pick up people——

Congressman ROUSSELOT. Could I interject something?

Mr. GAUGHAN. Certainly.

Congressman ROUSSELOT. Maybe we already have this in the record. Could you give us some kind of a simple statement as to how that occurs?

Commander REESE. Yes. There are two brothers, and I don't mean to limit it to these two men because there are other people who have also tried it.

Congressman ROUSSELOT. This is an example?

Commander REESE. Yes, but I think it is the most patent.

There are two brothers in the La Mesa Prison. They are fugitives from the United States. They were fugitives. Because of the joint effort by, I believe it was the sheriff's office at that time and Federal Bureau of Narcotics and Dangerous Drugs, there were some 40 arrests made and these two brothers fled, and have since then been incarcerated in Mexico for crimes there.

They are at the head of a ring which purveys hard narcotics into the southern California area. Our most recent obvious arrest was one involving, I think it was, five defendants, we got 81 ounces of pure French heroin. It was some of the purest we have seen. It was something like 88 to 89 percent, which is unheard of around here. We are seeing very little of the Mexican heroin, because it is not capable of being refined to the same degree as the French. So if they can get it easily abroad and bring it in here for the high profits that they can get, why not get the good stuff? So that is happening at the present and we are aware of it.

I want to stress this: That the Federal Bureau of Narcotics and Dangerous Drugs are working. They are working on a program with foreign law enforcement and it poses a tremendous diplomatic and operation problem for them to do this. Consequently, to lay out the en-



tirety of the scheme would work to their disadvantage in their investigations out of our country.

Congressman ROUSSELOT. Were these two brothers managing this distribution program from a jail?

Commander REESE. They are now.

Mr. GAUGHAN. Generally speaking, have the Mexican officials been cooperative with you when you informed them of the crimes that are going on from down there in this area?

Commander REESE. I would like to characterize it in this fashion: When we have a positive case that we know where the narcotics are and it is necessary that we and other members of the narcotics intelligence network and Mexican officials work together, generally, the Federal Bureau of Narcotics and Dangerous Drugs causes an attorney general to be sent from Mexico City to oversee the situation. If that answers the question.

Acting Chief COLLINS. I don't want to create an international situation. You know, we are just small town cops.

Congressman ROUSSELOT. If that is the source, you have got to be concerned with it.

Acting Chief COLLINS. Let us say this: Frequently we get to the point, when working out an investigation, particularly with other agencies involved, in what we refer to as the narcotics intelligence network of southern California, the five agencies working together, we frequently get so far with the case that it calls for us to deal with officials south of the border and suddenly the case goes kaput. It suddenly vanishes in thin air. I will say that is frequent.

Mr. GAUGHAN. But the La Mesa officials have been made aware of this situation, to your knowledge, at least?

Acting Chief COLLINS. Well, we have apprised Mexican law enforcement officials.

Mr. GAUGHAN. Yes.

Acting Chief COLLINS. What they have done with it, we don't know.

Mr. GAUGHAN. Yes.

In the Los Angeles area, is there any organized group that is bringing narcotics and hard drugs in here, or are there kind of a catch-as-you-can basis independents working in the area?

Acting Chief COLLINS. Well, there is some of both. But we would think that the majority, that is the big quantities that get in here are through well-organized groups, that have been identified.

Our administrative narcotics approach to law enforcement have been established targets. We first tried to identify the groups that had established targets and specifically worked on specific individuals and specific groups.

So from that, having had some success in this direction and having made some significant arrests among these groups, we do know that the bulk of this stuff comes in through these major organizations.

Mr. GAUGHAN. Is there some hierarchy that operates in the area that controls the flow of drugs?

Acting Chief COLLINS. There are probably several.

Mr. GAUGHAN. I see.

Chief, our purpose in being here today and having these hearings throughout the country, is to get recommendations from experts such as yourself and your colleagues on the bill, H.R. 12383, as it is now



drawn. You have raised some very legitimate red flags about this bill, which I am sure will be of interest to the Members.

Assuming that we were to put into the bill such things as any laboratory must be designated; that it must be an official designated laboratory for the community that is going to be used to take advantage of the bill. In other words, you can't just address the envelope to any police department or other agency and put some stamps on it. It must be a laboratory designated by the community. Further, the bill could also be amended to state that there shall be no qualitative analysis. When a concerned parent calls up, or whoever the person is who calls up, he will not be given a rundown as to whether the sample is 89 percent pure heroin or 90 percent. He will simply be advised that it is a dangerous drug, or that it contains heroin. He could also be advised that these are the agencies that have counseling services and that we will refer you to them if you care to go.

If these safeguards are put in there, would that then remove your objections to the bill?

Acting Chief COLLINS. Let me say this, and again, I am certainly not trying to be difficult in this thing. I would say this: As soon as you amend it, we would be glad to read it and then I can tell you whether we agree with it or not. But to speculate on whether we are going to agree on something that you might write, is pretty difficult, because I don't intend to go on record saying that we will agree to something without having had time to read it and study it. That is the only way I feel about it.

Let me say this: We have had some experience with a local group that was doing something similar to this or was doing something similar to it. We didn't try immediately to throw blockades in their way. Somebody is trying to do a service to the community, that is why we are here—service.

The pathology department at the USC-L.A. County Medical, is doing the analyzing for it. We cautioned them about carrying the drugs from Hollywood over there. Where the guy is in possession, we would hate like the devil to see them get arrested, but he might. So they set up a system.

But it wasn't very long before this information was getting out as to the purity and being published; and one of the—pardon the expression—so-called underground newspapers, was telling them what locations in the city you could get the highest quality pot, and where you could go to get the best pills and all this sort of thing. We think that these sort of hazards, these sort of dangers—we have lived with those already. The group is now inactive, because of this kind of thing.

But let me say this, that anything at all that would help in the fight against the narcotic problem, we are anxious for it and if an amended bill would do that, we would be glad to support anything that would help the fight against narcotics.

Congressman ROUSSELOT. So if we drafted a bill and sent it to you, you would be willing to comment on the basis of the experience that you have just described to us, and what experience you have already had, with this voluntary group that was formed? You could tell us what the shortcomings or advantages might be.

Acting Chief COLLINS. We not only would, but we would appreciate the opportunity to do so, Mr. Rousselot.



Mr. GAUGHAN. I want to comment on your statement, Chief, that generally speaking, any parent with any minimal knowledge should know whether his boy or girl is on drugs and it could be readily worked out by the parent. I don't mean to quarrel with that, but I just happen to have a pill in my hand. If I were to show it to you or anyone else, would you happen to know if it was a dangerous drug?

Acting Chief COLLINS. I wouldn't, and I am a parent. But I do know this, that if I saw that pill in one of my children's possession—and my children happen to all be girls, lots of them—and if I found that pill in any one of their purses, it would be analyzed, I will tell you that. I would talk to my local law-enforcement agency. Because either that or they would be telling me where they got it if it was legally prescribed. They go to the doctor that I tell them to go to, so I don't have any problems as a parent. And I don't know if that is a dangerous drug or not. I don't know that much about narcotics.

Mr. GAUGHAN. It is wheat germ, by the way.

Acting Chief COLLINS. I wouldn't even guess.

Mr. GAUGHAN. I knew that.

One other thing, to just clarify one of the prime purposes of the bill, Chief, and for the benefit of the members here. There are some people particularly in deprived areas, who are very hesitant about going to the police department. We all know, and as you say, the police officer is our best friend. But there are people who are scared to death or afraid to go near one. So part of the purpose of this bill is to help those people and also to get an analysis.

Acting Chief COLLINS. Well, we read that in the bill and again, I am not trying to be argumentative, but I think you can recognize that we read that into the bill and we think that is the laudable part.

What we are doing, instead of having a bill like this, what we are doing is trying to establish more confidence in the police in those areas, so we can better serve the people in those areas that you are talking about. And through our basic car plan and other plans that we have in effect now, we are working with people in those areas trying to do those things.

Congressman ROUSSELOT. Because I know that you have to go to another engagement, could you supply, for the record, later by letter or something, some of the things that you are trying to do to overcome that problem that has just been described by our counsel of encouraging the willingness of people to come to you naturally, rather than the fear complex that has been developed by, frankly, many of the media and others, who constantly try to downgrade the police force?

Acting Chief COLLINS. We would be glad to do that.

Congressman ROUSSELOT. That would be very helpful.

Congressman WILSON. Mr. Gaughan, because of the limited time of Chief Collins, I had just a couple of questions I wanted to ask.

Mr. GAUGHAN. Yes, sir.

Congressman WILSON. Chief, do you find anything worthy about this bill at all, if it is probably amended? Is it worthy of consideration in any way at all? If so, could you tell us what should be done to tighten it up and make it better?

Acting Chief COLLINS. Well, the idea of having—of encouraging parents to in some way analyze these items, I know some parents, for example, who are hesitant about being accusatory toward their chil-



dren. They do not want to immediately accuse them of something—not like I am, maybe—and so they are very hesitant to do that. They would rather have the thing analyzed and then say, “Well, we have this or that.”

I think that effort is laudable. To send narcotics through the mail, I think, is the thing that gets to us.

For example, a person walking down the street—and this was pointed out to me the other day that there were objections by one of the other law-enforcement agencies, which I think is marvelous—where they have a package all addressed to mail to somebody and they can carry their drugs under their arm, now, you see, because they are going to the post office to mail it. You have got to overcome those kinds of things when you are talking about putting things in the mail.

Somehow, getting parents to have a place where they can have things analyzed, that might be good. But I am not sure it is through the mails, Mr. Wilson.

Congressman WILSON. You mentioned the costs to the local government if this were adopted. If the drug analysis section of the bill was restricted to Federal laboratories so that the cities didn't have this additional cost, this would eliminate one of your objections?

Acting Chief COLLINS. We wouldn't object to the cost in Los Angeles, but we would have the same other objections.

Congressman WILSON. Actually, then there are other objections, this is not the important one?

Acting Chief COLLINS. This is a very minor thing.

It is just that, Wednesday I was in budget hearings, so I know what a problem money is right now.

Congressman ROUSSELOT. We are very conscious of budgets right now.

Acting Chief COLLINS. I made that as a very minor point.

Congressman WILSON. Chief, you mentioned that there is evidence that there are organized groups involved in bringing drugs up from Mexico.

We are always inclined to blame the mafia for everything. Do you have any reason to feel that there is a mafia at work in the Los Angeles area or southern California, or is it a case of where there are some Italians, some Jews, and some blacks, some Irish, some English, in other words, a combination of everybody that is involved in criminal activities?

Mr. GAUGHAN. Irish?

Congressman WILSON. Irish, Polish.

I think you know that the mafia is always the *bête noire* when someone wants to get some publicity. Is there a mafia at work here or are we thinking in terms of the past?

Acting Chief COLLINS. Well, I think the organizations we are talking about are not in mafia, as such. I would say there is a mafia, and I don't think there is any question there is a mafia. When we talk about the Italians, we are talking about the families, a lot of people work for the mafia, which are Irish and others, as I am Irish, too.

On these organizations, I think we could just in about a minute give you an idea of the type of organizations that are working in number, and the number we have hit. I think Commander Reese has that.

Commander REESE. Yes. Most of our organizations are indigenous to southern California.



Congressman ROUSSELOT. Home drawn?

Commander REESE. That's right. Actually, southern California really is comparatively free of mafia or influence from the mob. We have seen that and we are confident of it and we can say it with some assurance.

We have had instances in which we are quite certain that large amounts of narcotics, coming into the southern California area, were by people in these organizations that we have identified, but they might have been bank-rolled on a loan from some Eastern or Florida mafia figure.

But as far as the mafia being behind the bulk of narcotic activity, here, no.

Congressman WILSON. The city of Hawthorne is in my district and there have been many allegations about mafia activity in the city of Hawthorne.

Do you have any evidence that there is any mafia activity in Hawthorne, either in drugs, or anything else?

Acting Chief COLLINS. I don't want to get in trouble, either, Mr. Wilson. My wife is an Italian. It sometimes worries me when I talk about the mafia.

Congressman WILSON. I have a fellow named Fortiani who works for me and runs my district office.

Acting Chief COLLINS. Let me say that there are some people in the Hawthorne area that have been referred to as mafia-connected and one in particular that I am thinking of, every time he is convicted it is indicated that "Member of organized crime is again convicted," comes out in the paper. But as for any tight, any large-scale organized crime activity in that area, I am not aware of it.

Congressman WILSON. Thank you very much.

Congressman ROUSSELOT. I will ask one brief question and any additional questions that I have, I will send them to you in writing, because I know you have a deadline problem; you can't filibuster. You have to get there. So we are going to try to speed you on your way.

Throughout the hearings in Buffalo and now here, the same questions seem to be asked as to the risks that are proposed in this specific legislation which you have already testified on. You have already reviewed some of the risks.

One, that a pusher could protect himself, by always carrying an envelope addressed to the police ready for mailing; two, he could carry several envelopes addressed to the police, which he could say if apprehended that he was on his way to the post office; three, that the risk of someone tampering with the mails, through the mails, would also increase theft and pose a problem for our post office inspectors; and four, the drug abuser may employ some kind of a system to verify or to get his users to verify their drug supply, and say, "Well, we will just send it to the local law enforcement agency for analysis and show you what good stuff we have."

Could you submit, for us, alternatives to these problems and these risks or do you want to comment on it briefly; the alternatives that already exist to the use of the mails?

Acting Chief COLLINS. Offhand, I haven't thought of any. Well, we can try to think of some. We haven't thought of any. We think sending narcotics through the mail is a most risky business. There seems like there should be some way.



Congressman ROUSSELOT. I didn't mean to hit you cold, then. If you could give the question some thought, because we want find all that we can, as you do, to encourage people to get suspected substances identified. Once they get it identified, it takes the mystery out of it and it helps parents also to deal with the problem more effectively.

Could you give us some of your alternatives, we would like to have them?

Acting Chief COLLINS. Through writing?

Congressman ROUSSELOT. The techniques of encouraging parents to come and get these substances identified.

Acting Chief COLLINS. We will submit that in writing to the committee, Mr. Rousselet, and I am sure Commander Reese will see to it that they study it.

Congressman ROUSSELOT. Yes, that is what we are asking.

Congressman WILSON. Chief Collins, thank you very much for being with us this morning, and we appreciate your contribution and those of your associates. If you have any further comments to add to the hearing we will be happy to hear them.

Commander REESE. May I make one?

Congressman WILSON. Yes.

Commander REESE. And it is to the point that we are talking about the analysis of substances, that I would say that the narcotic problem is not one of substance. It is one of human behavior.

Los Angeles Police Department may well be the biggest holder of narcotics, you know, in southern California from our seizures. It is lying there in our property division and doing no one any harm. All the attention seems to be toward investigating substances. And Roy Wilkins once said about bigotry, "If everybody turned the same color overnight, by noon tomorrow we would have something else to be prejudiced about."

Well, if heroin and cocaine and marihuana and dangerous drugs were suddenly wiped out by noon tomorrow, there would be new substances, that the people who wanted to achieve euphoria would be using and the people who wanted to traffic in them for a profit, would pick up and would produce trafficking.

I would suggest that it isn't the manner of handling nor the substance that should be looked into, but the problem is what the police meets on the street of human behavior.

Congressman ROUSSELOT. The problem of human behavior is a good point. And if you wish to comment on that further, that would be helpful to us.

Acting Chief COLLINS. I am sure we will.

Congressman ROUSSELOT. It is like saying that eliminating all guns, stops all crimes.

Acting Chief COLLINS. Thank you very much.

Congressman WILSON. Thank you, Chief.

We now have three gentlemen, who are with the sheriff's office. Chief LeBas of the civil division and Inspector Sherman Block of the intelligence division, and Capt. Norman Hamilton of the narcotics division.

Would you gentlemen like to come up as a group. Identify yourselves. You are Chief LeBas?



STATEMENT OF A. E. LeBAS, CHIEF, CIVIL DIVISION, ACCOMPANIED BY SHERMAN BLOCK, INSPECTOR, INTELLIGENCE DIVISION; NORMAN HAMILTON, CAPTAIN, NARCOTICS DIVISION; AND SERGEANT STOOPE OF THE INVESTIGATIVE STAFF, SHERIFF'S DEPARTMENT, LOS ANGELES, CALIF.

Chief LeBAS. Yes, sir; I am. And Inspector Block and Captain Hamilton.

Captain HAMILTON. I would like to introduce Sergeant Stoope of our investigative staff.

Congressman WILSON. We are glad to have you here.

Chief LeBAS. Congressman Wilson, Congressman Rousselot, gentlemen, I am Albert E. LeBas, L-e-B-a-s, and I am division chief of the Los Angeles County Sheriff's Department, today representing Sheriff Peter J. Pitchess, who, as you gentlemen know, is still in the hospital and had some very serious heart problems. He isn't able to be with you today.

The other gentlemen have been identified properly.

The Los Angeles County Sheriff's Department does have, and the county of Los Angeles primarily, law-enforcement responsibilities in all the other incorporated areas. And some 29 contract cities that we police for those cities. We have concurrent jurisdiction with the remainder of those cities, and in most instances, I think, more particularly, in the area of narcotics enforcement, which we are interested in today. So we actually do provide some policing for the 7-million-plus people in Los Angeles County, totally.

Although I have had no personal involvement in the narcotics problem, I do not work in that field in my department, I have for the past 5 years been the legislative representative for the department. In that capacity I go to Sacramento quite often, during the session, virtually every week, to appear and present departmental views as to all criminal legislation both pro and con. In this capacity I also am one of the members of a team of legislative advocates representing the California Peace Officers Association, the D.A.'s in the State. So I could probably speak better authoritatively of the position of these associations as to the merits of this bill.

Recognizing the sincere, positive intent of the bill, our department and the associations I mentioned are opposed to H.R. 12383 for a number of reasons. Primarily, the Los Angeles County Sheriff's Department is doing everything possible to encourage families, friends, and users themselves to come forward and make personal contact with law enforcement, so that we may assist and direct them to community programs which may assist them. We do make every effort to keep users out of the criminal justice system and, as it was discussed with the previous witness, we think there is a real problem in attempting to get the conflicts, so to speak, of people at the street level, coming in to do this with us. We think the mailing in of samples of drugs for analysis and reporting back to people is probably a big giant step away from what we are attempting to do to reach them personally in



getting us to talk with them and to talk to us about their problems. Those are the basic reasons as to why we oppose the bill.

Under the bill, narcotic peddlers or violators could anonymously utilize law enforcement laboratories to confirm samples of contraband which have been purchased maybe for use and maybe for sale. We think this is a very bad thing and certainly negative as to the bill.

We think that in periphery, the theft of the U.S. mail, once the known address of laboratories where the samples were being sent was known, we think in periphery the theft of the U.S. mail will become a real problem under the bill.

Another problem, a person in possession, and Chief Collins pointed this out, a person in possession, perhaps a peddler, could offer a real definite defense. If he were smart enough to preaddress any quantity of drugs and carry it down the street under his arm. I think that is a rather valid assumption to make, and certainly these people that deal with narcotics are on the street and they would be able to realize this very suddenly and they could offer reasonable defenses with regard to this.

As to crime lab problems, which would prove currently, our crime lab tells us that it takes about \$20 worth of chemicals to process a sample of narcotics or dangerous drugs or marihuana. A total cost, if you include the cost of laboratory equipment and everything included, would be somewhere between \$25 or \$30 to test a sample.

Last year in conducting our business as a law enforcement agency, we did process about 16,000 samples of suspected narcotic drugs or marihuana. At the current time, our crime lab is experiencing about a 200-case backlog consistently, which we are almost totally unable to cope with. We quite frankly, are having difficulty processing samples in criminal prosecutions and getting these samples to court on time before the statutory time runs out to prosecute the cases.

Another problem has occurred and is with us constantly, is the problem of getting qualified criminalists to do the job for us. Typically, you don't recruit criminalists, per se, because they are in great demand. If you do, you bring in a young man who is just out of college, possibly with a chemistry background, and you offer him training, in-service training of 6 months to a year before he is a qualified criminalist. So setting up additional labs to take care of the problem would be a rather difficult problem from a recruitment and training standpoint.

Currently, in California, there are only 15 qualified crime labs operated by law enforcement. The problem is rather acute and the problem as to Los Angeles County is probably statewide. The Attorney General's office, in fact, has recognized the problem and currently is beginning to open regional labs for law enforcement for bona fide use, as to criminal prosecution. By the end of 1975, they will have eight of these regional labs in operation. Once again, they are going to experience this problem of recruiting and training people. The cost factor, will be, most likely, on a regional basis on the law-enforcement jobs for us.

The other gentlemen who are here are actually better qualified to speak as to any indepth problems involving narcotics. However, the one thing that I did get involved in last year, that may be of interest to this committee, I did appear as witness and did oppose for the California Peace Officers Association, district attorney's and State sheriffs, a bill similar to Congressman Dulski's. It was a similar bill 3042,



which was introduced in the 1971 session by Assemblyman McCallister of San Jose. The only difference in the bill really, at the outset, was that it would have been a violation of postal laws. Mr McCallister's bill proposed that individuals be allowed to bring, anonymously, samples of suspected narcotics or dangerous drugs to a predesignated place, like a night depository at a bank, drop these off with a preindicated number and later call in and get the analysis from us. We did oppose Mr. McCallister's bill for the same reasons as I have discussed previously, as to the protection offered the person walking down the street with quantities of drugs and that sort of thing, under their arm.

The bill was amended a total of four times in the house of origin in the assembly and ultimately did die in the fiscal committee of that house.

Strangely enough, the other side of the coin, the ultraliberals on the fiscal committee referred to Mr. McCallister's bill as the narcotics fink bill. And said that somehow, they didn't know how, but somehow the law enforcement was going to be able to identify these individuals that dropped off these suspected samples. I suppose that under Congressman Dulski's bill, they expect the same thing. Through some strange way we were going to be able to identify people who mailed the samples in and later go out and prosecute them. We think this is hogwash. But it is interesting and it should be interesting to the committee and other Members of Congress, but they probably will be receiving some opposition of the bill from that quarter.

Congressman ROUSSELOT. Were there any specific organizations in this category that you have just mentioned that were openly opposed to the calling of it a fink bill or whatever?

Chief LEBAS. No, I would say that the opposition came from individual assemblymen on a committee, Congressmen who suspected that in some way we were going to be able to identify these individuals and go out and very simply prosecute them for sending samples in to us.

Congressman WILSON. The ACLU doesn't oppose it as an organization, do they?

Chief LEBAS. The ACLU, as an organization, does not oppose it.

With that, I would conclude my remarks. I think the gentlemen sitting to my right are eminently qualified to answer any questions, if you have any, facing our department and facing people in the County of Los Angeles.

Congressman WILSON. Thank you very much.

Mr. Gaughan, do you have questions?

Mr. GAUGHAN. Yes, sir; Mr. Chairman.

Chief, a couple of generalized questions, if I may.

Could you give the committee your opinion on this effort that is currently invoked to legalize marihuana? Do you believe that it is a step forward in the fighting against narcotics?

Chief LEBAS. No, sir; I do not. In fact, the joint association, the district of attorney's office and State sheriffs have already taken the position in opposition to several bills, which will be heard before the Criminal Justice Committee next Tuesday at 3 p.m. We feel that in California we took rather progressive steps in 1968 when we supported making the crime of possession of marihuana a wobbler, if you will,



which means that it could be handled either as a felony or a misdemeanor depending on which is at the discretion of the court. We think this is a sensible approach.

We think there are people who would legalize, those than would handle misdemeanors, handle possession of marihuana as an out and out misdemeanor. We think that the courts' discretion is doing an excellent job in this State in not prosecuting people as felons, who have small quantities of this substance in their possession. We think this is probably the answer.

I was, myself, very disappointed with the findings of the President's Commission. I feel it is loaded with all sorts of contradictions. For instance, the authorizing of an individual, one foot inside of his front door, to use marihuana, puffing on a cigarette and walks with one foot outside onto the porch, he becomes a person who could be convicted as a misdemeanor doesn't make much sense. Either marihuana is a dangerous substance or it is not.

Mr. GAUGHAN. Chief, it has been said that there is no connection between the smoking of marihuana and the use of hard drugs. A year or two ago, the Federal Government had a great crackdown on the importing of marihuana across the Mexican border.

Could you, or Inspector Block, tell us what your experience was when marihuana was cut off in the area?

Inspector BLOCK. Yes. At the time of Operation Intercept, I was assigned to supervise the working of the Narcotics Bureau. During Operation Intercept, the flow of contraband substances from Mexico did decrease dramatically. In fact, during that period of time we found that the greatest amount of drugs that were being used were those drugs which had their origin within the continental United States. Such as, barbiturates, amphetamines, and so forth.

But the most interesting point was that the same people, who for years have been stating that there is no relationship between the use of marihuana and other narcotics or drug substances, that the use of marihuana does not lead to the use of other substances, came forth and said that the Federal Government by virtue of Operation Intercept was forcing the young people in our community to use hard narcotics and other drugs. The reason being that by cutting off the availability of marihuana, some of these people were being forced to go to these other substances.

We submit that if the use of marihuana does not create in the user a desire for or a need for the use of any drug, then we fail to see the logic of their argument.

Mr. GAUGHAN. Inspector Block, could you also say your office sees a linkage as in prohibition? We certainly had alcoholics in this country and it was somewhat of a problem, but since the legalization of alcohol it has helped to some respect.

Inspector BLOCK. Well, for most of my career in law enforcement, I have been assigned to those units which involve themselves, in what we consider to be the regulation of conduct, have been assigned to vice, narcotics, things of that nature. One thing we have found, and I think this can be said without fear of contradiction, that any time, any activity which is illegal or recognized as antisocial, suddenly becomes legal or recognized as socially proper. The immediate result is a dramatic increase in that particular activity.



We reject the analogy of comparing the current marihuana situation to the alcohol situation during prohibition. Many of the advocates of the legalization of marihuana have stated that one of the significant reasons for the use of marihuana by young people is the forbidden fruit concept. It is an illegal activity and in their rejection of the establishment, they are going to use this marihuana. And they cite prohibition in the same fashion with the rise of gangsterism and all the associated crimes.

Again, we submit, during prohibition there was much crime, there was much gangsterism. This, in our opinion, was due primarily to the corruption of public officials, the corruption of law enforcement, during that period of time, that allowed the Al Capones and others to gain a foothold. But we also submit that there were one lot less of alcoholics during prohibition than there are in our country today readily available.

Mr. GAUGHAN. Chief, you raise the point of someone carrying contraband drugs wrapped in a package and stamps put on it, could, if he were apprehended say, "Well, I was just going to drop it in the mailbox to have it analyzed."

Couldn't much the same be said about a jewel thief who is apprehended, couldn't he also say, "Well, I was just on my way down to the police station. I am going to turn it in"?

Chief LeBAS. Yes, he probably could, Mr. Gaughan.

Mr. GAUGHAN. As far as mail thefts are concerned, which are certainly a problem in the U.S. Postal Service, wouldn't it be true, too, that anyone seeing a package addressed to Tiffany's, would know that there was something of great worth in there. Doesn't this create a problem to the Postal Service?

Chief LeBAS. What I am suggesting is that that is a problem today.

Mr. GAUGHAN. Mr. Chairman, that is all I have.

Mr. WILSON. Thank you.

Chief LeBAS. let me ask you the same question about Hawthorne that I asked Chief Collins.

Do you have any reason to think that there is any organized criminal activity in Hawthorne?

Chief LeBAS. I have no such knowledge. Perhaps Inspector Block would like to comment.

Inspector BLOCK. I would say, based upon the best available information, that there are probably people in Hawthorne, as there are in many other communities of Los Angeles County, who do have ties with organized crime and perhaps with the Mafia, as you referred to it.

Mr. WILSON. Well, again, let me ask: Do you feel that there is a serious Mafia threat in southern California?

Inspector BLOCK. There certainly is, in our opinion, again based upon the best available information, a Mafia.

There is, in addition to a Mafia, as such, a national criminal organization—the syndicate, the mob, call it what you will. These people have, for many years, attempted to avail themselves of the lucrative prospects that exist in the southern California area. We believe that the influence of organized crime in this area has been minimal. We feel that at this time we do not have what we refer to as the Eastern type of activity, where portions of our county or our city are divided up by



some all-powerful individual that assigns districts and exclusive territories for operation and so forth.

We do find that it has been becoming increasingly more difficult to keep these people out, because the kinds of activities that organized crime involves itself in, are becoming more acceptable in this area; primarily through the kinds of restrictions and the liberalization of certain statutes in areas of activity. Such as pornography, for example, is a good example of organized crime, interest and involvement in this area.

Mr. WILSON. I think, certainly, all of the law-enforcement agencies of the State of California are to be commended. There is no question in my mind but that you have an entirely different atmosphere here than there is still in existence in some of the Eastern States.

And, John, I can't recall when any California public official has been identified or linked with any mob activity. I think this is a tribute to law-enforcement agencies in the State of California.

Insofar as the bill itself goes, now, you are pretty much opposed to it, under any circumstances?

Chief LeBAS. Yes, we are, Congressman Wilson.

Mr. WILSON. You don't see how it could be improved at all?

Chief LeBAS. After our experience last year with Congressman McCallister's bill, I don't see how it could meet with our approval.

Mr. WILSON. Thank you very much.

Mr. Rousselot?

Mr. ROUSSELOT. Yes. Did you want to comment?

Inspector BLOCK. Yes, I wanted to comment one bit on the bill.

In following the remarks of Commander Reese regarding the drug problem being a problem of people rather than substances, we have attempted to view the Dulski bill and other similar proposals, as law-enforcement people, and I think we have individually viewed it as parents. What would this do for a parent of, say, teen-age children? And I think that we have been uniform in our finding that in our opinion a parent, who finding a substance, any substance, is unable to discuss this finding with their youngster, not accuse them, but just sit down and ask questions and attempt to determine what it is. A parent who does not have the rapport, the ability, the confidence of the youngster to engage in this kind of a conversation, we don't believe would be able to cope with the situation once they found out they did in fact have a narcotic. I think it is a lost ball game long before they had to send this anonymous analysis sample.

Mr. ROUSSELOT. To follow up with what you just said, would the type of parent that you have now just described, be more willing or more capable—or find it more acceptable to determine for themselves, if this one bill was passed, if they could mail the suspected substance in on an anonymous basis? Would this make it "easier" for them to overcome the problem of not directly approaching the law-enforcement agency?

Inspector BLOCK. I don't think that the problem is approaching the law-enforcement agency. I think the problem lies in the relationship between the parents and the youngster. It is our belief that this parent, once they find out that the substance that they question is, in fact, a narcotic, they would probably still not seek assistance and probably would still not confront their youngster. And in the final analysis it would probably have no significant effect on the drug-abuse program or prob-



lem. And that is what it is all about. That is what we are interested in: How will it affect the overall drug-abuse problem in the United States?

Mr. ROUSSELOT. Of course, a few other law-enforcement agencies feel the same way as you do about this bill—and it has already been stated by Mr. Wilson that both of us feel the bill has to be tightened very substantially before it will even get out of committee. The reason this bill was proposed originally was because just prior to the stage you have just stated, it was felt “the parents needed help.” That is, it was a problem we didn’t even know of. The parents didn’t know what the substances were and were hesitant to go to the law-enforcement agencies, because, first of all, they didn’t want to be arrested themselves. You and I know that wouldn’t happen, but they mentally fear that they might be arrested. And they didn’t want to even confront their children, until they had better knowledge as to what it was.

Now, what alternatives are now available to parents and others, so they won’t have to use a loophole in the law to mail it? That is, I guess, what we are saying.

Chief LEBAS. I think Captain Hamilton is better qualified to answer.

Mr. ROUSSELOT. Yes; could you state what alternatives are available?

Captain HAMILTON. Yes, Congressman.

We have a number of agencies here in southern California that are ready, willing, and able to assist the parents.

I would like to, first, return to our own department.

Mr. ROUSSELOT. You will submit a list of those agencies?

Captain HAMILTON. Yes, I could. But, namely, they would be our health department, our mental health department of the county and the University of Southern California Medical Center, who will accept for analyzing these questionable drugs. They do it, however, generally, through the family doctor in the case of the parent, who is concerned, and that the parent does have that rapport, I hope, with a doctor that they can discuss this problem to ask for this assistance.

Mr. ROUSSELOT. Most doctors would be willing to get it analyzed or find a way to do it.

There are public health facilities maintained by the county, and other facilities maintained by other political subdivisions, even the Federal Government, I assume, and/or the local law enforcement agencies, which would include the police department, the sheriff’s department and city police; is that correct?

Captain HAMILTON. I wouldn’t want to say that we should add with just my word a burden on the county health department. We certainly have problems. But I do know that they would be very cooperative in assisting that parent that you spoke of, and probably would call us. They very well could.

Mr. ROUSSELOT. And you mentioned the University of Southern California Medical Center.

Captain HAMILTON. Yes; the general hospitals.

We did have probably 30 to 50 incidents a month, where parents were contacting, either by phone and/or in person, for this very problem that you spoke of. I think we have caused that to happen by our professional efforts in their neighborhood. We do it through a number of ways.



Our Los Angeles Police Department uses the car plan. We use other named plans, but the same thing, of working with people, getting acquainted with them.

Mr. ROUSSELOT. Could you submit, for the record, what plans you are now using, so we could be aware of them? I think that would be very helpful to us.

Captain HAMILTON. We very well could.

Mr. ROUSSELOT. I think that is all.

I just want to thank you, gentlemen, for taking the time and, please, give our best to Sheriff Pitchess. We are sorry that he was unable to be here, I know that he wanted to be.

Chief LEBAS. Yes; he did.

Mr. ROUSSELOT. Thank you for the job you are doing.

Possibly, the news media could do a better job of educating parents on how they could come to and feel safe and make it known to them that they can do this through the public health facilities and others. They could play a role in doing this, too.

Mr. WILSON. Thank you very much, gentlemen.

Mr. ROUSSELOT. Thank you very much, gentlemen.

Chief LEBAS. Thank you.

Mr. WILSON. We are going to change the order of our witnesses. Our distinguished district attorney from Los Angeles County is with us and I am going to ask him to come forward at this time, and I know he is on an extremely tight schedule.

Mr. Busch, if you will bring your staff and associates with you, please, and introduce them.

This is the Honorable Joseph P. Busch, district attorney.

**STATEMENT OF HON. JOSEPH P. BUSCH, DISTRICT ATTORNEY  
FROM LOS ANGELES COUNTY, ACCOMPANIED BY RONALD MIKE  
CARROLL, SPECIAL NARCOTIC ENFORCEMENT DIVISION; AND  
TOM McDONALD, SPECIAL EXECUTIVE ASSISTANT, DISTRICT  
ATTORNEY'S OFFICE**

Mr. BUSCH. This is Ronald Mike Carroll, who is in charge of our Special Narcotic Enforcement Division of the district attorney's office, and to his left, the special executive assistant, Mr. Tom McDonald of our staff.

Congressman WILSON. Thank you very much.

Mr. BUSCH. Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today to express my views as the chief law officer of Los Angeles County on H.R. 12333.

There is a clear need for accurate information on the street drugs which are available in our county.

Drug arrests and seizures of drugs by law enforcement agencies are reliable indicators of the widespread use of illegal drugs in our county.

Physicians, hospitals, clinics, and law enforcement agencies all need information on the nature of the drugs circulating in Los Angeles.

We know that virtually all the material sold as mescaline in Los Angeles, for example, is really the much more powerful LSD or the animal tranquilizer PCP. White powder sold as natural cocaine may really be procaine or other synthetics.



This is the type of information which is derived from analysis of street drugs. Such analysis lends itself to educational programs designed to deter drug abuse. Analysis also allows parents to determine the nature of the strange little pill, the packet of powder or the plant material found in Johnny's jeans.

A doctor treating a patient on a bummer needs positive identification of the drug which has hit his patient.

Law enforcement needs current information on the types of drugs on the streets and the patterns of drug use throughout the county. These needs for drug analysis do not involve the element of anonymity which is present in H.R. 12383.

I oppose H.R. 12383 because it in effect would facilitate the marketing of illicit drugs. The drug user and even the casual experimenter wants to know if his dealer is dealing in what he is being paid for.

The habitual drug abuser who has been burned with bad buys wants to know the specifics of the drug which he has purchased—not only verification of the variety of the drug—but also the purity and the potency.

The illicit drug seller is aided by being able to convince his customers of the nature and quality of his merchandise. Government should not indulge in any effort to supply a "Good Housekeeping seal of approval" for illicit drugs.

The anonymous nature of the program envisaged in H.R. 12383 would allow both buyers and sellers to obtain more information on the nature of illicit drugs than the housewife can obtain on food which she buys in the supermarket. It would facilitate expanded distribution and marketability of illicit drugs and dangerous substances. It would upgrade drug abuse—ignoring the fact that all the substances under consideration are toxic to begin with.

A side effect of this program might be that persons would carry supplies of narcotics in stamped envelopes addressed to Government laboratories and claim exemption from prosecution on the basis that they are carrying them to the mail box to mail for analysis only.

I should add that the Federal nature of this program would allow California dealers to have drugs tested in Arizona, even if implementation of the program was not accepted in California.

I personally favor a system such as we have in Los Angeles County operating under the aegis of the University of Southern California Medical Center, street drug identification program.

Under this program, drugs may be submitted anonymously; however, the information on the analyses does not return to the persons who submitted the materials. Only authorized medical and law-enforcement agencies receive analytical results of specific substances.

General informational bulletins are issued by the center to provide the community with current information on the street drugs for sale. However, specific analytical results are not issued.

As far as the problems of parents are concerned, law-enforcement agencies will arrange for analysis of drugs found in possession of children.

These alternatives to the proposal of H.R. 12383 are much more acceptable, much more workable, and do not encourage expanded distribution of illicit drugs.



Thank you for giving me the opportunity to express my views on this legislation.

Congress WILSON. Mr. Gaughan, do you have any questions?

Mr. GAUGHAN. Yes.

We welcome you, Mr. Busch, and your colleagues this morning.

I would like to ask you a few generalized questions, sir, also.

Mr. BUSCH. Sure.

Mr. GAUGHAN. Do you find, in your day-to-day contact in law enforcement, that there is a linkage between crime in the Los Angeles area and the use of drugs?

Mr. BUSCH. Well, there is a definite relationship between it. One major impact that we know is, that half the adult arrests that occur in the Los Angeles County are for drugs. I mean, violations of the Health and Safety Code, drug addicts; half of the adult arrests. They might vary a little bit depending on the areas of the community.

In contrast to that, 75 percent of all reported crimes are car thefts and burglary. Now, there has to be a relationship with the incidence of crimes that are being reported and the massive percentage of 50 percent of all adult arrests, being involved in drugs.

So as we were trying to figure out the other day, let's say how many hard narcotic addicts do we have in Los Angeles County, we don't know. If they say, there is a half a million in the United States—and we are one of the 10 largest metropolitan areas—it would be safe to say we have 50,000.

Congressman ROUSSELOT. In the county?

Mr. BUSCH. In the county.

But assuming, say, we only had 2,000 and they had a \$30-a-day habit for heroin, they would have to steal three times that, because it is going to cost you. You have to steal—retail 90 to wholesale it off to 30. So if you have just that many, then we are talking in terms of theft of money in this county of \$50 million, just with that basis.

The postulate that there are only 2,000 addicts, if it is higher, look at the impact. There is no question that there is a correlation, relationship to the drug abuse and drug addicts and crime.

Mr. GAUGHAN. Are you finding in your experience in the district attorney's office that drug use is on the upswing, so to speak?

Mr. BUSCH. We are beginning to see somewhat of a leveling off with respect to certain areas. We are not quite sure, yet. Perhaps you agree with us crime occurs in the ages of about 14 to 29 or 25, in those areas, and we have seen a leveling off of the crime picture in the Los Angeles County.

Also, that age group has leveled off. We don't have the increase of the wartime babies, there has been a leveling off. It wasn't until the 1950's that the pill became popular, and maybe the leveling off has more to do with birth control than it does crime fighting.

But we find that, whereas the hard narcotic use was done for a period of time as marihuana skyrocketed, during the 1960's, now other marihuana use is leveling off and hard narcotics is on an increasing curve.

Mr. ROUSSELOT. In this county?

Mr. BUSCH. Yes.

Mr. ROUSSELOT. Hard narcotics is on the increase?

Mr. BUSCH. The largest impact in the use of narcotics right now is cocaine. As an example, we have sometimes semantic problems with



this, because some medical authorities don't want to put cocaine in with the hard narcotics. They think it should be more in the non-addicted category, because it does not have a physiological effect.

Mr. WILSON. Is the location pretty general in the county, Mr. Busch, or do you find some parts of the county where you have greater instances than in others?

Mr. BUSCH. I think in social economic depressed areas you might find that the use of narcotics is higher, because whatever motivates people to use it, maybe it is because of lack of having goals in life, it may be it would be higher.

Now, as an example, cocaine is in the affluent society. That is, where it really begins. It cost three times as much as heroin. We have seen in seizures, cocaine has gone up in 5 years almost up 1,700 percent.

Mr. WILSON. Would you say then that there are different types of drugs in different parts of the country?

Mr. BUSCH. Yes, like speed.

Mr. WILSON. In your underprivileged areas, what would they be using?

Mr. BUSCH. If you got there, they wouldn't be buying cocaine. Speed is the poor man's coke. You will find that heroin has traveled there, marihuana would be there, amphetamines would be there. They are all over.

Mr. WILSON. In the suburbs, though, did you find this much in the high schools?

Mr. BUSCH. The biggest problem in our junior high schools and high schools in Los Angeles today isn't alcohol or marihuana, it is barbiturates. Where as, on amphetamines, the Government has put control on their production; but in the area of barbiturates they haven't. They have the power to do it, too.

This is a very serious problem, particularly among our young people.

Mr. GAUGHAN. Mr. Busch, do you agree that the chief source of supply for the Los Angeles area is Mexico?

Mr. BUSCH. Yes.

Mr. CARROLL. Right now I would suspect that most of the coke comes from Mexico. It is a conduit and it may not be necessarily manufactured there, although they are coming from there. Whereas, we used to get the brown heroin from Mexico, they are getting a rather better quality, which would be light, which is typical.

Mr. GAUGHAN. Have the Mexican authorities been cooperative with you and your office in trying to extend this control?

Mr. BUSCH. There is great cooperation between the Mexican authorities, and this has increased. It can't always be proved and the Federal authorities along the border, particularly.

Naturally, we have to have a little cooperation in both, because of the flow that goes back and forth. Nothing like seeing Tijuana on a Sunday afternoon at the border.

Mr. GAUGHAN. You raise the question, Mr. District Attorney, about the qualitative analyses being given under this bill. Presently, when a parent goes to a physician who turns a suspected drug over to a police department or if the parent goes directly to a police department, there is no qualitative analysis given, is there?

Mr. BUSCH. What they would do is give it to the laboratory and they could tell them what it was, whether it was reds or barbiturates or LSD



or procaine or cocaine or whatever it may be. They would get that information, yes.

Mr. GAUGHAN. But that is all?

Mr. BUSCH. Right.

Mr. GAUGHAN. You would withdraw your objection in that area then, if we were to couch the bill in such language that there would be no qualitative analysis?

Mr. BUSCH. Yes, in the sense that you would be just giving out information of what it was, as I might, as I mentioned about it.

I might show you that our local Free Press is running a dope scoreboard on the street analysis on what kind of things we are running on the street. So, look out for this. Maybe it is good or bad. It was at least information.

But our street drug information that is done here, the type of report they put out, would just indicate the general location of the county like—central Los Angeles—that they had submitted LSD for analysis and that LSD would be prevalent there.

Also, it would have been submitted, say as pure coke, and it turned out to be cocaine with procaine, adulteration in it. It is that type of thing.

I think you have to have some way of identifying, perhaps by percentages, what was in in that way.

I don't know enough about chemistry that when you say qualitative that it has—

Mr. GAUGHAN. A quality breakdown of the substance.

Mr. BUSCH. No, I see. I don't think you have to say, "This is good stuff and bad stuff." That is the kind of thing that would help the market.

Mr. GAUGHAN. I believe that we will see that the bill is couched in better language. It may be rather elusive in its present form.

You raised the question of someone having some drugs in a piece of brown wrapping paper with some stamps on it and should they carry it that way they would then have a good story to tell.

Wouldn't it be, you might say, a question for the jury, if a man were apprehended by the police with a package that is addressed to the Los Angeles police laboratory and it turns out to be a kilo of heroin. Wouldn't it be then a question of reasonableness if this man turned out to have a record of nine arrests for such things, perhaps as a pusher, that it would cease to be a problem in that sense?

Mr. BUSCH. Well, I am sure the passing of this bill will not give immunity from prosecution of people who are in the possession of drugs with those envelopes. What it would do, though, is offer a problem of proof; one, we have accused a man who had it all wrapped up and ready to mail to the laboratory in South Dakota or wherever it may be. You don't say, "Well, I am just bringing it to the mail."

Then it would be up to us to prove beyond a reasonable doubt and to a moral certainty that it was just an illegal possession and not a samaritan trying to find out what kind of drugs are in the community.

In other words, there is no limit on how much you could send to a laboratory; you could probably send a barrel to them, if you wanted.

Mr. GAUGHAN. But you don't envision any great prosecution problem of pushers wandering around the streets of Los Angeles with drugs wrapped up with stamps on them, thereby evading prosecution?

Mr. BUSCH. The people that deal in this area are not unintelligent,



and I wouldn't be a bit surprised if they would use it as a barrier to prosecution. Whether they would be successful or not, I don't know. I could see it being used. They have nothing to lose.

Mr. GAUGHAN. Could not the same thing be said about contraband that was stolen last night in Los Angeles, a gentleman who wants to transport it through the town. He wraps it up in some paper and marks on it, "Los Angeles Police Department"; and says, "Well, I just found it, I wrapped it up and was sending it to the Los Angeles Police Department to turn it in"?

Mr. BUSCH. That would offer the same kind of a problem.

Mr. GAUGHAN. Yes.

But that has not been a problem here in contraband, has it?

Mr. BUSCH. One, we are putting something in the law that gives them the privilege of doing that, and the other would be a subterfuge not recognized by the law.

Mr. GAUGHAN. Mr. Busch, it has been proposed in this community to legalize marihuana. We would be delighted for you to offer your feelings about that proposal.

Mr. BUSCH. I don't believe that marihuana should be legalized.

First of all, it is a substance that is foreign to—what they call psychotropic-type substance. It has never been recognized legally anywhere in the world, even in the countries that had a problem for centuries.

Even if we were to hypothesize that it was going to be legalized, it would have to be regulated. You could not just let it be growing out in the fields and have youngsters picking it up. Certainly, I don't think anybody is advocating that you start smoking it at 8 or 9 years old. We would have to have some regulation.

We have an alcohol beverage control system, so I suppose we would have to have the marihuana control regulation. You would have to have a board. You would have to have a taxation. You would have to have grades. You would have to have licensing. You would have to have drugs. It isn't really easily regulated, in my opinion. That kind of a substance isn't.

I don't think that we should accede to the legalization of it at all. I think that we have problems with alcohol and we should not make more problems with marihuana; because even the President's Commission indicates they want it stopped, the use of it. They want to deter the use, because nobody knows, as they call it, the habitual user, what real impacts it has on their health. There are apparently 8 million heavy users already from their report. All I can see is, that you would have more and more problems with it.

Mr. GAUGHAN. Thank you, Mr. Busch.

That is all I have, Mr. Chairman.

Congressman WILSON. Do you have any questions, Mr. Rousselot?

Congressman ROUSSELOT. One brief question. Mr. District Attorney, it has been suggested that law-enforcement agencies as a whole, are not sensitive enough to the problem of parents who suddenly may come upon some suspected foreign substance and, therefore, this great hesitancy on the part of parents to come to law-enforcement agencies. Maybe because you are elected, you find yourself in a little different position. Maybe they feel a little greater confidence, because you have to come up for election every 4 years.



Has your office engaged itself in a program to try to educate and encourage parents to fight this drug problem, and not to be apprehensive about getting suspected substances identified before their children get too far down the line? Also does your office provide alternative methods other than what is provided for in this bill?

Mr. BUSCH. Of course, we are really aware of the problems that parents are faced with when they do find some unknown substance. The type of educational program that we try and encourage through our particular offices, through the distribution of drug pamphlets identifying the various types of drugs that are on the market with instructions as to the effects they have on an individual; and also encouraging really that if an unknown substance is found, to take it to the local police department.

I know there is somewhat of a reluctance, because I think that generally the public feels, "Gee, if I turn that in, I am going to put my child into the criminal justice system and I want to handle the problem at home, if I can catch it on time. I don't want to have him taken down to the probation office, down to the police department, down to the juvenile hall and made a ward of the court." That is a genuine concern that they have, because if you can solve your problems at home that is really where they should be done.

Mr. ROUSSELOT. I guess, what I meant, was how do we overcome that problem if we don't pass this bill?

Mr. BUSCH. Well, as I say, I think it is educating the people to have an understanding. If they want the information about the drug, they can have it. It doesn't mean necessarily that the juvenile or the youngster is going to have to be put into the system. If they will isolate themselves away, in other words, put themselves as the buffer between them.

We do have a case in California, now, that the innocent transportation of narcotics to be destroyed or to have it analyzed does not constitute a crime. That was a court ruling, just a recent one.

Mr. ROUSSELOT. If they came to your office, can the anonymity of the parent and child be pretty well protected up to a given point, unless there is a clear violation? Can you describe how it can be done?

Mr. BUSCH. Sure, if they have a problem, or they would bring it there.

Mr. ROUSSELOT. Please give us an example of how that is done without using the mails.

Mr. CARROLL. I can give you an example, Mr. Rousselot.

Mr. ROUSSELOT. All right.

Mr. CARROLL. Of course, our phone rings all the time on various things, including concerned parents. We would act, probably, as a conduit. We don't have a laboratory and we are primarily, of course, a prosecutive agency with investigative functions. We are not in the business of arresting people, perhaps, that is one reason they come to us.

As a result, if someone comes to our people with an unknown substance, in the first place, we have a system of interviewers for the public, which Mr. Busch arrived at, being it was sustained, and this is composed of trained investigators. So when you have the walking type—

Mr. ROUSSELOT. What do you call that type of operation?



Mr. CARROLL. We just call it a public information service or public information desk. This is performed by regular trained investigators on a rotating basis. In fact, they complain they have to be there that often.

But, these are trained investigators. I can say the largest percent of these investigators have applied law enforcement experience in other agencies as well. We have a habit of stealing trained personnel from other police agencies and some of their good people.

In addition to that, we have offices throughout the county of Los Angeles where we have resident deputy district attorneys, very small offices, called area offices. In these area offices there are all trained lawyers.

Mr. ROUSSELOT. How many of these offices do you have.

Mr. BUSCH. Sixteen.

Mr. ROUSSELOT. Throughout the county?

Mr. BUSCH. Yes.

Mr. ROUSSELOT. Where this kind of public information is available?

Mr. CARROLL. Yes, I would say so. It is like a generalization. Each lawyer, of course, is an individual thinking man. The policy of the office is not to prosecute a parent, because that parent is bringing an unknown substance, and that policy I have never seen violated, to my knowledge.

Mr. ROUSSELOT. Thank you. That is very helpful.

Mr. WILSON. I have no further questions, Mr. Gaughan.

Mr. GAUGHAN. That was all I had.

Mr. WILSON. Mr. Gaughan, if you will explain what the procedures would be for our next witness, I would appreciate it.

Mr. ROUSSELOT. Thank you. We appreciate your coming.

Mr. GAUGHAN. Ladies and gentlemen, I would ask your indulgence, if you would clear the courtroom for about 2 minutes. We are going to bring in a couple of anonymous witnesses, whom you will be allowed to listen to, but you will only be able to view them from the rear. Until we bring them in, and have them facing the bench, we will need a minute. This includes the press, also. When the press comes in, if you would sit in the seats in the first row, I would appreciate it.

(Brief recess.)

Mr. WILSON. Mr. Gaughan, you announce what the ground rules are here, now.

Mr. GAUGHAN. Yes.

Congressman WILSON. And we will proceed with the arrangements you have made with these witnesses.

Mr. GAUGHAN. I would, first of all, want to tell the news media people that any photographs have to be taken from the rear of the room. That is the only ground rule that we have right now.

Now, for the purposes of the record, Mr. Chairman, we will identify our witnesses this morning starting on my left. We will, from here on in, refer to this gentleman as witness A, and we will refer to the woman that is directly in front of me, as parent B, and to her left the gentleman will be parent C.

First of all, on behalf of the committee, we want to thank you for coming here. We know it is a difficult decision that you face here this morning. But nonetheless, as I mentioned to you, just a little earlier,



the testimony you give here today will probably be the most valuable testimony we are going to receive in our time here in Los Angeles. All of us, including the very fine law enforcement experts that we had this morning, the judicial people that we have this afternoon, all have to speak on theory. But you people have actually had experience with drugs and have gone down the hard path. You can tell us what comes right from that fund of experience.

Congressman WILSON. I wonder if I might just mention, for the benefit of those who are in the hearing room, that the reason we have been deviating from the exact contents of the bill before us is that there are three committees in the House of Representatives, that are studying the drug problem in one way or another.

All of the testimony which is gained from hearings held by any one of these committees, becomes important to the work that the others are doing. Our report will be available to the other committees and the accumulation of all of this information can be extremely valuable in trying to come up with effective Federal drug legislation.

I thought we should preface this, so people would understand why we are discussing in more general terms things other than the bill before us.

You may proceed, Mr. Gaughan.

Mr. GAUGHAN. Thank you, Mr. Chairman.

I would like to direct a few questions, if I may to witness A. I wonder if you will tell us, the committee, your age, please?

#### STATEMENT OF WITNESS "A"

WITNESS A. Twenty-five.

Mr. GAUGHAN. Would you tell us how old you were when you first became involved with drugs?

WITNESS A. I was about 14.

Mr. GAUGHAN. How long were you involved with them?

WITNESS A. About 8 years.

Mr. GAUGHAN. In your own words, would you tell us how you first became involved with the use of drugs? How did you start?

WITNESS A. Well, my brother at the time was using drugs, and I was living with him and some of his friends. I guess out of curiosity, I one day, when there was no one home, I went where they had some marihuana hidden and I smoked some. And I guess that is about how it was.

I guess the reasons, I continued to use, was out of acceptance, being accepted by my peers, my people around me. Wanting to have people come to me, for one reason or another, wanting to be able to relate to people and some things that I knew about.

Mr. GAUGHAN. So it was marihuana that you first started using?

WITNESS A. Yes.

Mr. GAUGHAN. Your first drug.

And then you started up the scale. What other drugs did you go to from marihuana?

WITNESS A. I started smoking a lot of weed and drinking a lot of wine. And I started taking amphetamines, Whites.

Mr. GAUGHAN. Amphetamines?

WITNESS A. Yes.

Mr. GAUGHAN. What kind of amphetamines were you taking?



WITNESS A. Dextrin dioxane.

Mr. GAUGHAN. Methedrine?

WITNESS A. Well, that is after awhile, I started to use methedrine, methedrine is not a pill, dioxanes are. I started dropping pills and smoking weed.

Mr. GAUGHAN. Was it easy for you to obtain such drugs in the neighborhood?

WITNESS A. Yes.

Mr. GAUGHAN. That was no problem at all?

WITNESS A. There were times when it was, but it was pretty easy to get.

Mr. GAUGHAN. And then you went from amphetamines to what other drug?

WITNESS A. To heroin.

Mr. GAUGHAN. How long were you using heroin?

WITNESS A. Probably for about 3 years.

Mr. GAUGHAN. Three years?

WITNESS A. Uh-huh.

Mr. GAUGHAN. And during the course of the period that you were using heroin, how much a day did it cost you to support that habit?

WITNESS A. I guess about \$150.

Mr. GAUGHAN. About \$150 a day?

WITNESS A. Uh-huh.

Mr. GAUGHAN. How did you obtain the money to support the habit?

WITNESS A. I would steal or deal.

Mr. GAUGHAN. When you say deal, what do you mean by that?

WITNESS A. I would sell dope.

Mr. GAUGHAN. Where would you obtain the dope?

WITNESS A. Where?

Mr. GAUGHAN. Yes, that you sold.

WITNESS A. From my connection.

Mr. GAUGHAN. And were you apprehended during this period by the police?

WITNESS A. Yes, I was arrested for possession of heroin.

Mr. GAUGHAN. And were you convicted?

WITNESS A. No, I was not.

Mr. GAUGHAN. How did you avoid conviction?

WITNESS A. Due process of law with illegal search and seizure.

Mr. GAUGHAN. So the only time you served in jail, was time you served while waiting trial; is that correct?

WITNESS A. Well, I bailed out. I have served—I have never really served time. I have spent a lot of nights in jail for being drunk; one was for shoplifting and, you know, traffic violations and things like that.

Mr. GAUGHAN. Were your parents aware of the fact that you were using drugs?

WITNESS A. Well, not for about 6 years, and then they suspected it and they had me talk to a social worker at one time. After about 6 years, they became aware of it.

Mr. GAUGHAN. Son, would you describe for the committee your reaction when you would take heroin; what did it do for you?

WITNESS A. Well, it make me relax. It made me—well, after I was, you know, I guess you would call it hooked, it would make me normal.



It would make me feel relaxed. It would make me feel like I could sit in one place.

It would give me, I guess, a sense of well-being. It would relax me.

MR. GAUGHAN. And was that a different physical feeling than you had when you were using amphetamines?

WITNESS A. Yes.

MR. GAUGHAN. Would you describe the physical reaction you had to amphetamines?

WITNESS A. When I first started using amphetamines, it would make me like I was above everybody and everything. It would put me in a place where, you know, I could really think I was somebody, really think I could do things that I couldn't normally do.

I would be friendly, I would be warm, I would be talkative, I would be outgoing, I would be active.

MR. GAUGHAN. And as you got deeper into amphetamines, did they give you any aberration?

WITNESS A. Any—

MR. GAUGHAN. Did you get a feeling of reality or persecution?

WITNESS A. Yes. After awhile I started getting paranoid. I started, you know, being by myself a lot. I started hearing people talking about me, saying bad things about me.

I was, you know, I was always on the lookout for the police. I would walk with my head behind me, so I could see what was coming.

I would even sometimes walk backwards, so I could see what was coming.

MR. GAUGHAN. Is that right?

WITNESS A. Yes.

MR. GAUGHAN. It would be most interesting, son, if you would tell us what your feeling is about the legalization of marihuana?

WITNESS A. My feeling about legalizing marihuana?

For me, I don't know about for anybody else, but for me marihuana threatens me. Like I don't want—I can't be around it right now. That might change, I don't know, but as it stands for me right now, I don't want to be in a place where, you know, people are smoking weed.

I can't afford it. I have too much to lose. There is a lot of things I don't understand about legalizing marihuana.

I don't know where it is going to come from, how much of it is going to be distributed, where the tax is going to be, because there will have to be some tax on it; there are a lot of things I don't know about it.

MR. WILSON. But, you started with marihuana and you went on from that. It was not satisfying your needs? You did go on from there to barbiturates and heroin?

WITNESS A. Well, I don't know if it wasn't the satisfaction of not getting what I wanted from marihuana, I was not getting what I wanted from anything.

I guess at the time I thought I could get more, more recognition, you know, in whatever I was looking for from using other types of drugs.

MR. ROUSSELOT. You just made a statement that you felt that you couldn't afford to be around marihuana, because you had "too much to lose." What did you mean by that?

WITNESS A. Right.

I guess, in the past 2 years, I came a long way from where I was. I have turned like about-face. I am doing things—I am going to school,



I work for a drug rehabilitation program. It is very fulfilling. When I say I have got a lot to lose, I don't want to take the chance of being around drugs, so that I can—I don't want to take a chance of losing the things that I have.

MR. ROUSSELOT. In other words, being around the use of marihuana?

WITNESS A. It threatens me.

MR. ROUSSELOT. It threatens you?

WITNESS A. Yes. I am not talking about everybody else, me, it threatens.

I have been around—there have been times in the past couple of years, that I have been around people smoking weed, you know, and, like, I didn't like it.

MR. GAUGHAN. It is fair to say that you, as a former addict, strenuously oppose legalization of marihuana, you personally? Just put it in your own words.

WITNESS A. I don't approve of it. I am not going to say I oppose it, because there are too many things that I don't understand about it.

MR. GAUGHAN. You don't want it around you?

WITNESS A. I don't approve of it.

MR. GAUGHAN. That is all I have, Mr. Chairman, for this witness.

MR. WILSON. I have no questions.

MR. ROUSSELOT?

MR. ROUSSELOT. Thank you for being willing to come here. It is hard for those of us that haven't been through it to understand what you have gone through.

So many times, we hear, as public officials, young people tell us that something pot or marihuana is no different than drinking alcohol.

Could you tell us what your conclusions are, realizing these are just yours in relation to that statement that we get many times.

WITNESS A. OK. I used to stay drunk a lot of times. I don't drink, either, I mean, I don't approve of alcohol. So to me it is in the same place.

I don't know what the young people's point of view on it is. I know that I think that drunk driving is one of the main causes of death.

MR. ROUSSELOT. Is it possible to get "drunk" off of marihuana and pot?

WITNESS A. No. I have never—I used to get pretty intoxicated from alcohol, and I would never get that way from marihuana.

MR. ROUSSELOT. Are they comparable, I guess, is what I am asking?

WITNESS A. No.

MR. WILSON. You could drive after smoking marihuana without any difficulty?

WITNESS A. Yeah.

MR. ROUSSELOT. I think that is all I have.

MR. WILSON. Thank you very much.

MR. ROUSSELOT. I did have one question.

What made you finally come to the conclusion that you had to put forth the efforts to go off of drugs; what were some of the things?

WITNESS A. I was tired. Like I was tired of having to go through withdrawals. I was tired of not having anything. I just wanted to—I was not getting anywhere. I wanted to try and do different things and get some things for myself. I was tired of not having anything. I don't



like saying this, but I went to jail and, you know, that might have been the causative factor. It might have been, and probably was.

Like I said, I don't like saying that, because I don't like to close down a jail.

Mr. ROUSSELOT. Did the penalties involved make you realize anything?

WITNESS A. Not the penalties.

Mr. ROUSSELOT. I mean, going to jail is a penalty.

WITNESS A. It was the turning point. You know, like it was—they put me in a place where I could not get loaded and where I had been, and I had to go through withdrawals. The put me in a place where I had to tell my family I was going to do something, so they would get me out.

Mr. ROUSSELOT. The purpose of the bill is to give to parents a tool to deal with the problem of working with their young children. Since you were 14, at a fairly young age when you moved into this area, and you mentioned that it was roughly 6 years before your parents had some knowledge of this, do you feel that if there were such a law, or a loophole in the law, to allow a parent to mail in any substances that they had found, that that would have made any difference? Would your parents have done it? Do you think that this would have made any difference?

WITNESS A. Well, it might have made them a little more aware. I doubt it if it would have made them any different, because I was living with my brother.

Mr. ROUSSELOT. In other words, would this bill, if you were living at home—I realize you were living with your brother—do you think if your parents had found any of these substances that you were using, that the right to mail without prosecution would have made any difference to them, in your opinion? I realize this is an opinion, and it has to be.

Would it have made it easier for them?

WITNESS A. To do what?

Mr. ROUSSELOT. To be helpful to you.

WITNESS A. I think what it would also do is make the parent more aware of what is going on. My family, when they did find out, they tried to give me some alternatives. Those alternatives didn't work.

There was nothing that they could do.

Mr. ROUSSELOT. You were pretty far down the line, so to speak.

Mr. WILSON. I wonder, this gentleman has to be at work at 1 o'clock. How far do you have to go, sir?

#### STATEMENT OF PARENT "C"

PARENT C. In the Hollywood area.

Mr. WILSON. In the Hollywood area. We probably had better be moving along, then, so we do not cause you any delays.

Mr. GAUGHAN. Apparently, sir, you are gainfully employed?

PARENT C. Yes, sir.

Mr. GAUGHAN. And you have how many children, sir?

PARENT C. Two, a boy and a girl.

Mr. GAUGHAN. And their ages?

PARENT C. Thirteen and 19.



Mr. GAUGHAN. And you would say that you have a normal, ordinary type of home?

PARENT C. I would say normal.

Mr. GAUGHAN. Would you tell the committee, sir, when you first became aware of, and how you became aware of, the fact that your boy was using drugs?

PARENT C. I think probably at the age of 15, maybe 16, with the smell of marihuana in his room, was the problem of the first indication.

Mr. GAUGHAN. The sweet-smelling odor made you suspect it?

PARENT C. Yes.

Mr. GAUGHAN. Was there a change in the boy's personality at this time?

PARENT C. Yes, a definite change. Although the change in his personality kind of seemed to start earlier than 15.

I think it was the transition into 13. I think it was junior high school. I don't think it was the drug that changed his personality. I think it was just his personality that went that way. Possibly the group of people he started going with.

It was not an abrupt change, it was kind of a slow change that I could see, that I think led into the drug problem.

Mr. GAUGHAN. Once he got on drugs, though, did he tend to become more secretive?

PARENT C. That took place, sure.

Mr. GAUGHAN. What type of drugs was he using, sir?

PARENT C. I don't know the drug terms, because I am not up on these. He started with the whites and then ended up with the reds.

Mr. GAUGHAN. I believe, if I am correct, whites are barbiturates. He started on amphetamines. Did he move to other drugs?

PARENT C. The reds were introduced, which are downers.

Mr. GAUGHAN. Both are barbiturates.

And after he was on it for a while, I am sure you probably knew it.

PARENT C. Oh, yes, we detected it.

Mr. GAUGHAN. And you brought it to his attention?

PARENT C. We detected it at about 16, anyway. All his transactions were being taken place in school, in high school.

Mr. GAUGHAN. That is where he was securing the drug?

PARENT C. That's right. There were other places, but that is the major place.

Mr. GAUGHAN. But it was freely available at that school?

PARENT C. All the time, from what I understand.

Mr. GAUGHAN. Could you tell me, sir, what happened, then, after he was on it for a while, did you contact the police?

PARENT C. Yes, we had some episodes. He was trying to buy some kilos of marihuana, which he got burned, and there was no such thing. He got these friends through someone and he was taken for \$150 and bought nothing. The man ran away with it.

His mother took him up to the police station and got him arrested for buying nothing and he lost \$150.

There was one time, the next time, I guess, I must have taken him up myself to the station. Still he was a juvenile. I didn't have much success. I think this is one of the problems after you detect it. Nobody will take him. You can't give him away.

Mr. GAUGHAN. Is that right?



Parent C. When they are under 18, there is no way. They would absolutely not do anything for you.

Mr. ROUSSELOT. You mean, the juvenile authorities?

PARENT C. Well, these are narcotic people where we would go.

Mr. ROUSSELOT. And they couldn't touch him, because he was a juvenile?

Parent C. Absolutely. They couldn't touch him. The youth know this. This is the the thing you have to deal with.

Until he was 18, I couldn't do a thing. After he was 18——

Mr. ROUSSELOT. You mean, he couldn't get involved in Juvenile Hall?

Parent C. I couldn't get him involved in Juvenile Hall. He was not getting into that much trouble.

As soon as he was 18 and I caught him, I threw him right in jail.

Mr. GAUGHAN. Did he do anything else illegally, as far as his habit? Did he become involved in burglaries or anything like that?

Parent C. No, if he did, he was never caught. He might have. I don't know about it.

Mr. GAUGHAN. What happened with him in school? Did he remain in school?

Parent C. He graduated as a sort. He did continue. We forced it. He was put out of school one semester, and then went right back in. He did graduate from high school, but not with honors.

Mr. GAUGHAN. Sir, did there come a time in the course of this boy's problem that he attempted suicide?

Parent C. Yes.

Mr. GAUGHAN. Would you tell the committee about that, please?

PARENT C. He was still a juvenile, and I guess I caught him over in the park that morning. He was supposed to be in school and I caught him myself. So we took him out to the Valley View Hospital, and the person who attended, suggested the halfway house situation. He more or less consented.

So we brought him back and got him prepared, and I went back to work and he attempted suicide with an overdose at that time.

Mr. GAUGHAN. He swallowed an overdose of barbiturates?

PARENT C. Yes.

Mr. GAUGHAN. Did you rush him to the hospital and they pumped him out?

PARENT C. They pumped them out.

Mr. GAUGHAN. Did there come another time, sir, when the boy attempted suicide?

PARENT C. There was one other time when I caught him, and that time he ended up in jail. This is when he was 18 and that time we had a little fisticuffs. Between me and the overdose, he was in pretty bad shape. Although, he hadn't taken as much. He wasn't a severe problem. However, they put him in the jail hospital this time, because we sent along the pills at that time with him. So we had something to give him in jail.

Mr. GAUGHAN. Madam, I know you are aware of the proposed bill and familiar with the contents of the bill.

PARENT B. I am.

Mr. GAUGHAN. Would you give the committee your opinion on the bill?



PARENT B. Well, it really boils down to two sides of it. One, you want to know whether or not your child is on it or not. I mean, that is important.

But the second thing, that is more important, is how do you get help. Where do you turn to? We went for a couple of years and they said, "Go to your family doctor and he will recommend somebody." And no one gave us any advice.

Then, of course, the third thing is that they have to want the help. If you are finding out that they are taking it and you find out where to take them for help, they have to be ready themselves.

MR. GAUGHAN. I know, sir, you have to be leaving now. One question.

Do you, sir, think this bill would serve a good purpose?

PARENT C. I don't think it serves enough of a purpose. A good purpose, sure, but, I think, what you are trying to do is open up many tools to the pushers on the outside, for what it is worth.

MR. GAUGHAN. At one time sir, did he use a gun to hold off his mother?

PARENT C. That is what I understand. She told me the story, I wasn't there to see it. I understood he was trying to use a gun, he said he wasn't. She said he was.

MR. GAUGHAN. Madam, would you care to tell us about that?

#### STATEMENT OF PARENT B

PARENT B. Yes, he wasn't going to use the gun to kill himself. He was going to use the gun to hold me from getting help for him.

He had taken—he had a whole bag full of reds and he had taken like 80 of them. I happened to walk up into the room, and this was the day he was to go to the Halfway House. Apparently, he wasn't ready for it.

He was pretty strung out right at that time. So when I went up to the room to see what he was doing, he had a .38 laying right there. He held it on me, so I couldn't get help for him.

We fought with the gun and finally he let me have it. We ended up getting help and I got word to somebody to get an ambulance and get help for him.

But he was very bad that time. His heart stopped and he was out for about 36 hours, so we didn't know if he was going to make it or not.

Like she says, fine, it is nice to know when your child is using it, but that is not your greatest problem. I am afraid that the police force would be handcuffed too much by this bill.

They are going to get in other troubles, is the way it looks to me. MR. WILSON. Having lived with this experience, what are your own personal opinions as to the approach that should be taken?

PARENT C. I would like to see the juvenile rules strengthened a little bit.

MR. ROUSSELOT. In the field of drugs?

PARENT C. In the field of drugs, absolutely.

MR. WILSON. So that there is no immunity?

MR. ROUSSELOT. I was interested in your comment.

PARENT C. They know they are not in any trouble until they are 18. And it isn't only my boy, I have talked to others about it.

They know they can't get in any trouble.



Mr. ROUSSELOT. Witness A, did you find that to be the case? Were you aware of the fact that as a juvenile, when you were less than 18, that your problems of prosecution were not as great? You weren't aware of that?

WITNESS A. It didn't matter to me; no.

Mr. WILSON. Were you still in school at the time that you were taking these drugs?

WITNESS A. Yes; I was.

Mr. WILSON. What effect did it have on your grades?

WITNESS A. It took me 5 years to get through 3 years of school.

Mr. WILSON. You graduated from high school, did you?

WITNESS A. I graduated from continuation school.

Mr. WILSON. It definitely affected your ability to study and your schoolwork?

WITNESS A. Yes.

Mr. WILSON. Were you a good student before?

WITNESS A. I don't think I was ever a good student.

Mr. WILSON. But it wouldn't have taken you 5 years to go through 3 years of school, if you had not been involved with drugs?

WITNESS A. Oh, sure.

PARENT C. One more comment on our situation.

As soon as I got him in jail, all I could book him on was drunk. I got him in jail for a drunk charge. He came out a little different.

Mr. ROUSSELOT. He kind of rethought the whole situation?

PARENT C. He didn't like jail. I couldn't have done all of this before he was 18. All you could give was a hand slap.

Mr. ROUSSELOT. I think this is a good point.

As parents, what steps can be taken by a parent once he or she discovers that a son or a daughter is using drugs? Now that you have been through this extremely difficult experience, can you give us some suggestions?

PARENT C. We have been through counseling of this sort put out by the city, and they weren't equipped at all, as we found out. It was strictly a family situation. They are not equipped to deal with drug problems.

Mr. ROUSSELOT. The city government?

PARENT C. It was a thing where you paid a nominal fee to go to. It was suggested by the psychiatrist.

Mr. ROUSSELOT. The psychiatrist?

PARENT C. The county hospital suggested this particular agency. We were spinning our wheels; it wasn't doing anything.

This particular crisis house, we found it more difficult with the people involved in it, much more than any counseling, and that is including various expensive psychiatrists.

Mr. ROUSSELOT. Did the psychiatrist deal with the boy?

PARENT C. Yes.

Mr. ROUSSELOT. Did he help?

PARENT C. No way.

Mr. ROUSSELOT. What recommendations did he make?

PARENT C. They weren't making any. They were just sitting on time. These were supposed to be special psychiatrists, who were dealing with these problems.



MR. ROUSSELOT. The reason I asked that question is that we have several bills before Congress authorizing more money for psychiatrists to deal with this problem.

PARENT C. We went to private people and these were not city people.

PARENT B. Twice we went to private psychiatrists for 4 months at a time.

MR. ROUSSELOT. And that psychiatrist directly dealt with the boy?

PARENT B. Right, with the boy.

PARENT C. Right, it was more with him than with us. Where the other thing was a family thing, and that was not right.

MR. ROUSSELOT. What about your family doctor, did he help?

PARENT C. No.

MR. ROUSSELOT. Did you consult with him?

PARENT B. In fact, I had my son in on different occasions and he was stoned at the time. The doctor never even knew——

MR. ROUSSELOT. When you say "stoned," you mean, on drugs?

PARENT B. Right, on reds.

MR. WILSON. What are reds?

Fortunately, I haven't had any personal experience.

PARENT B. I wish I could say that. They are seconals.

CONGRESSMAN WILSON. I have four sons and I just pray that I never will, either.

PARENT B. I wish praying could do it.

CONGRESSMAN ROUSSELOT. What finally made your son kick the habit?

PARENT B. The jail.

PARENT C. Yes.

CONGRESSMAN ROUSSELOT. You feel, in this case, putting him in jail actually made him quit.

PARENT C. He came out and joined the crisis force. They have a program where they have supervision.

CONGRESSMAN ROUSSELOT. You mean, the jail has a program?

PARENT C. No, the Crisis House.

MR. GAUGHAN. Could I interrupt, Congressman Rousselet. He is referring to the West Hollywood Crisis House Rehabilitation Center.

CONGRESSMAN ROUSSELOT. They came in to work with the boy when he was in jail?

PARENT C. No, after he was in jail. The parole officer or probation officer suggested he go there to live.

CONGRESSMAN ROUSSELOT. The county parole officer made this suggestion?

PARENT C. It was his suggestion. And he went there and he was accepted.

Maybe this gentleman here is a member.

WITNESS A. Yes, I don't think the jail is the answer. It might be a turning point, but I don't think it is the answer.

CONGRESSMAN ROUSSELOT. That is what I was trying to ask, was it a turning point. Obviously, that is not the final solution, because there are a lot of other problems.

CONGRESSMAN WILSON. Well, you indicated also that it was a jail experience that made you realize that you had to do something about it, and this obviously is a turning point.



PARENT C. The same thing.

CONGRESSMAN WILSON. And it was the Crisis House that helped you come out of it and gave you the opportunity to rehabilitate yourself?

PARENT C. There was no reason or anything, they weren't ready. Our boy was not ready until he got out of jail.

CONGRESSMAN ROUSSELOT. We realized jail didn't solve the problem. One of the reasons you gave for quitting was that you had too much to lose. You didn't want to go back to jail.

Jail didn't solve the problem, but it started you thinking about your having to solve it. Have I interpreted your remarks correctly?

WITNESS A. When I said I had too much to lose, I didn't mean at the time. I meant now.

CONGRESSMAN ROUSSELOT. Yes.

CONGRESSMAN WILSON. Now, the Crisis House is a State-funded agency?

WITNESS A. It is funded through California council on criminal justice.

CONGRESSMAN WILSON. I see.

And in your opinion, all of you, this is a worthwhile program?

PARENT C. Well, those people seem to know how to deal with the problem. They have all been involved on it. It seems like we have gone to a lot of things.

CONGRESSMAN WILSON. You have tried everything.

PARENT C. At this house, we participated with group therapy with some other children and parents. This is what they did. They seem to be able to communicate better than outside people. They are more willing to listen to you.

CONGRESSMAN ROUSSELOT. We know you have to get to work, sir, and we don't want to delay you anymore.

CONGRESSMAN WILSON. Mr. Gaughan, do we have other questions?

MR. GAUGHAN. No, sir; that is all.

CONGRESSMAN WILSON. We certainly appreciate your willingness to come before us and give your testimony, which has been extremely helpful to us. We want to wish you the best of everything.

PARENT B. Things look good now.

PARENT C. Thank you.

CONGRESSMAN WILSON. Thank you all.

CONGRESSMAN ROUSSELOT. Thank you all.

CONGRESSMAN WILSON. The committee meeting will recess now until 2 o'clock this afternoon. We will be back with other interesting witnesses.

Thank you very much for coming.

#### AFTERNOON SESSION

MR. WILSON. We will reconvene our hearing of the Committee on Post Office and Civil Service in connection with the bill introduced by Mr. Dulski, H.R. 12383.

MR. ROUSSELOT has a statement he wants to make before we hear from our witnesses.

MR. ROUSSELOT. Thank you, Mr. Chairman. I thought I'd just review some of the comments that I had that I wasn't able to make this morning because of the time problem we had with some of our witnesses. I just wanted to briefly review the fact that it is an obvious fact that the



drug problem has been described by many people in many different ways, but I think that President Nixon's description succinctly puts the question in its proper prospective when he says that it is really "Public Enemy No. 1."

Drug abuse has deservedly gained the attention of not only our country but the world, especially because drug abuse has now filtered down through every strata of our civilization and has very indiscriminately touched every man, no matter his race, creed, color, national origin, or economic or social status. Its tentacles, unfortunately, appear to have absolutely no limits.

In 1971, for example, over 800 people in the county of Los Angeles died of causes relating to drug abuse. Of those, roughly one-third were teenagers, and I think this again shows the depth of the problem.

In the 1950's, it was almost unheard of for young people of these age levels to die of heroin overdose or drug abuse problems. Yet, today it is a serious problem among young people, and in other major metropolitan cities, the statistics are even more devastating.

Therefore, as a nation trying to be problem solvers instead of just complainers, we are attacking drug abuse on a Federal, State, county, city, and community level. Everyone is concerned, everyone wants to help, and the answers must be found to stop and control the drug problem, or it will engulf even more of us.

The purpose of this hearing is obviously not to attack the totality of the drug problem, but rather to explore one small, but important aspect, and that is the feasibility of allowing a person in anonymity, if he or she chooses, to send in the U.S. mails, a foreign substance he or she suspects of being a drug to a law enforcement official or some research facility for analysis.

Now, it is felt by some members of our Post Office and Civil Service Committee, including our chairman, Congressman Dulski, that this mailing tool might be an important device which will help parents and guardians to properly identify substances and possibly save their children from the degrading life of drugs, which has proven to be a pathway of no return for so many. However, it does not mean that everybody on the committee feels that this particular tool should be made available.

So, Congressman Wilson and myself are both interested in trying to get as many facts as we can, not only about this particular tool that might be used, but also because, as Congressman Wilson has said, there are so many other committees of Congress looking into the same problem, that we have decided to begin our hearing efforts to try to gather as much information as we can.

I am pleased that Congressman Dulski, our chairman, asked both of us to participate in this effort. At first, I was somewhat hesitant, because it's hard to believe that the mail service can be involved in helping in the field of preventing drug abuse, but it shows how deeply penetrating the whole problem is; that it can really enter all phases of our life. We hope by these hearings that we will not only gather information that we need in Congress to properly legislate, but that we can help alert people as to the depth of the problem.

I think the last three witnesses we had this morning that actually have been right in the middle of this problem are a living example of why we need to give this more careful attention than we have in the past. That's all.



Mr. WILSON. Thank you, Mr. Rousselot.

This morning, we didn't find anybody who is in favor of this legislation, but apparently this afternoon, we have some supporters of it, however. The first witness we have is the Honorable George R. Perkovich, Jr., who is a long-time friend of mine and a judge in the South Bay Municipal Court of California.

Judge Perkovich, will you join us at the witness table, and make whatever statement you'd like to make.

**STATEMENT OF HON. GEORGE R. PERKOVICH, JR., JUDGE OF  
SOUTH BAY, CALIF., MUNICIPAL COURT**

Judge PERKOVICH. I'd rather just comport myself as I expected witnesses to comport themselves in my court, answer questions, if you don't mind.

Mr. WILSON. You've indicated, to a member of our staff that you think this legislation does have merit. Many parents would have an opportunity to determine if their child was using a drug and might be able to do something about it early enough to have a beneficial effect.

We were rather surprised with the testimony this morning from the anonymous witnesses we had that there is so little opportunity for parents of juveniles under 18 years of age to receive assistance from juvenile authorities. Until they became 18 or older, there is so little that can be done, and by that time it is often too late.

Would you care to make a few comments, Judge Perkovich, on how you think that this bill can help and what your experience has been in this field?

Judge PERKOVICH. Fine. Well, first, I have the same problem in the municipal court. We formerly had the ability, when we suspected some person getting involved in drugs, to send them to Department 95 of the Superior Court for some hearings, but now we can't do that; we really can't commit him anywhere except to jail, or as part of a probationary sentence have him indulge in some narcotic rehabilitation course. Most of these things are civic, independent-type things, a lot of them not really deriving any Government sanction.

But I was interested in the bill from this point: When a person finally turns his son in or his daughter in, it is usually as a last resort. It is usually after a long course of conduct, and at that time usually the parent feels this is the end of the road, "I've got to turn him in." They go to the police, and the arrest is made, and now the fellow has to go through the regular criminal procedures. I am convinced that if parents early enough were able to, say, verify the suspicion, short of turning him in maybe the parents could get themselves involved and the kid involved in some sort of rehabilitative treatment without the onus of criminal prosecution or criminal sanction—it just happened too often. The only time parents come to me, by the way, usually is after their kid has been arrested; we've got a case pending, and I'll get a tearful letter—"I had to do it. What can I do now?"

These same people, I am sure, have been faced with suspicious circumstances. I just know it. Too often in my own private life or from what I've heard from what my kids will tell me; that a mother will find a Benny or a red—and a lot of them are naive—and a kid will give some sort of explanation, some justifying explanation. There is a lot of this occurring, I think, before a kid gets that involved where



he is now subject to criminal prosecution, where his parents are driven to a desperate end of calling in the police and getting his son arrested.

I've read the bill. I really can't see, first of all, in a negative way, any harm in trying. Secondly, I think it has the prospect of giving some way to get the parents to help their kids. I don't think that law enforcement and courts have stopped a darn thing about the drug traffic. I don't think that by continuing to put them in jail solves anything. We've the stiffening of penalties, and I'm not aware that the problem has decreased. In fact, it is going the other way, and if we can center our attack on the family, center our efforts on the family, give them more proof to work with, putting a little more emphasis on their role, I think we have the best chance of making inroads on the problem.

Mr. WILSON. Thank you very much.

Mr. GAUGHAN, do you have any questions of Judge Perkovich?

Mr. GAUGHAN. Yes, Mr. Chairman.

Your Honor, will you tell the members of this committee, in your experience with the felonies that you handle in your court, what percentage of felonies are made up of drug charges?

Judge PERKOVICH. More than half.

Mr. GAUGHAN. More than half?

Judge PERKOVICH. More than half, and probably some weeks it approaches 75 percent.

Mr. GAUGHAN. And of the nondrug felonies, such as thefts and burglaries and so on, is there a linkage between them and drugs?

Judge PERKOVICH. Yes, sir. As I say, I haven't kept statistics, but from day-to-day evaluation, I'd say a conservative number would be one in three, at least in my area. I'm only speaking now in my own area.

Mr. GAUGHAN. Yes, I see. Then it is your opinion, just as you stated a few moments ago, that jail sentences are not the answer at all?

Judge PERKOVICH. No. That is my opinion, yes.

Mr. ROUSSELOT. By that, do you mean the total answer, or just what?

Judge PERKOVICH. It isn't the total answer.

Mr. ROUSSELOT. We had somebody testify today who thought that one of the problems was not being able to get to their boy any other way. Finally, they put him into jail, and that at least started him thinking in the right direction.

Judge PERKOVICH. Oh, I've talked to parents, and I've had people give me this opinion: "Judge, if you could give the kid for the first arrest a 5-day term, that might jar him." But there are so many that are beyond that point. There might be a lot of validity to that, but I think that after a fellow has had four or five arrests, jail holds no fear; the threat of jail holds no inducement for him to quit.

I think the bigger pressure on him, the bigger inducement, is family sanction, family approval, family awareness, some ability to accept his role in the family. I think that's the biggest thing we've got to work on and the most long lasting—let's put it this way, predictable of a more long-lasting result.

Mr. GAUGHAN. It has been suggested, Your Honor, that a crackdown on the sources by our Federal Government might be the real solution. For example, some pressures being brought to bear on Turkey and



France and Mexico by the Federal Government. It has been suggested that that's where the problem lies and that these sources be dried up. Do you think that would be a solution?

Judge PERKOVICH. I don't see how anyone can doubt that. That would be to maybe start to stop the traffic. Obviously, if something is not available there would be fewer people using it.

I keep wondering how all these reds come into the country. I don't understand how these numbers can't be counted, how the company that makes them can't be held to account for the number they make and where they're shipping them. It doesn't seem to be that difficult.

I grant you that I'm aware of a lot of back-door operations. This does happen, but a lot of the stuff is made by reputable companies, and I don't know why that has been overlooked or, if it hasn't been overlooked, why more hasn't been done in that line.

Mr. ROUSSELOT. I wish I had the figures on that, Mr. Gaughan. Perhaps, they are available. I don't know whether we have them here in the committee, but it would be interesting to know the number of pills of the type that are manufactured in the country as against the need that we have in the country, based upon the number of people who have actually had them prescribed by their physician. Obviously, 75 percent of these go down into Mexico and come back, and they come from well-known and legitimate firms that manufacture pills.

Judge PERKOVICH. I see their names on some of them, yes.

Mr. GAUGHAN. Yes, it would certainly seem that the integrity of some of our larger pharmaceutical houses are in question in the avalanche and niagara of drugs that come into this area.

Judge PERKOVICH. I agree with that. I believe that would be a well-warranted conclusion.

Mr. GAUGHAN. I may have misunderstood the district attorney this morning. I didn't have a chance to ask him further. I thought I heard him say—this may only be a recent decision now, Judge—that there was a recent California decision to the effect that the innocent transportation of narcotics for purposes of analysis was permissible.

Are you familiar with that case?

Judge PERKOVICH. I'm not aware of it. I am not aware of it.

Mr. GAUGHAN. He may have said it was a proposal. I'm not sure about that.

Could you, Judge, tell us what has brought about the movement of drugs from the ghetto into the affluent suburbs? Do you have any thoughts on that?

Judge PERKOVICH. I don't know if that really is so in my district. It seems to move from the beach cities up to the hill or vice versa. I don't know, but that's my view, and I don't know really where it comes from exactly.

I know there is a lot of traffic down to Mexico. I know the kids drive there. Everybody at 16 apparently now has to have a car and has got tremendous mobility, but I'm not really aware of a movement from the ghetto.

I haven't had it come up in my court tracing, say, a drug shipment or a drug movement. It's usually done inside the district. I've had occasions where cars have been found in my district and tailed from the Mexican border, but I don't have it the other way.



Mr. GAUGHAN. Perhaps I didn't frame my question correctly, Judge. What I meant was that it wasn't too many years ago that the problem was a problem of the ghettos.

Judge PERKOVICH. Oh, all right.

Mr. GAUGHAN. And it seems to have moved from the ghetto into the more affluent areas.

Judge PERKOVICH. Oh, not the movement of the drugs, but the drug problem.

Mr. GAUGHAN. Yes.

Judge PERKOVICH. All right. Well, several years ago, I think—of course, I have a large area, and I am speaking of the predominant part, in the Palos Verdes Hills—it was very serious. Well, it's serious now, but it was getting to be almost epidemic proportions. The police were arresting people in the peninsula almost daily. That's tapered off.

I have a feeling that, of course, it was due to a lot of parental involvement. There are no official programs, but there are parents involved. I belong to a youth commission that is sponsored by the school district, but this is not an official organization. I think the kids are beginning to feel that we're interested in it qua parents, not qua establishment.

I think the reason for it or some of the reasons are boredom, perhaps, too much time on their hands, perhaps, not enough physical contact with their parents. As I said before, I think the kids want parents to pay attention to them, whether it's to kiss them or kick them. I think whatever he wants, he wants to feel important, and in the more affluent areas, you have occasions of both parents being away, and they think, "Well, give Junior a car. That will atone." Well, that just gives all sorts of trouble.

I think a lot of it is a feeling of hypocrisy in the establishment. "If the old man can get drunk, why should he holler at me for blowing a couple of weeds?" This kind of thing. I think it is a lot of moral judgments that the kids make.

I do think this, I have very few people outside the ages of 18 to 24 coming in on drug charges. Either they're dead or rehabilitated by then. If you take the 18-, 19-, 20-, 21-year-olds out of my court, it will knock my business in half; I have no question in my mind. So, a lot of them die. A lot of them, you can predict, are going to die from an overdose. I've told some from the bench, and they've been picked up dead, but a lot of them, I think, probably get to finding a role in society, finding a way of adapting. I think they find that even though society isn't an ideal place, isn't an ivory tower, they can help to correct it and still compromise where they have to compromise, where we all must.

Mr. GAUGHAN. Judge, this morning it was testified by some of the law enforcement officials that it could be a problem if such a bill were enacted, wherein the pusher might transport drugs across the city by wrapping them in brown paper, put some stamps on it, address it to the Los Angeles County Laboratory or some such place and thereby avoid prosecution.

How does that argument sound to you?

Judge PERKOVICH. First of all, I would suggest that it would have to be put in as a matter of defense, and I am not aware that the bill gives



immunity on the way to the post office. If that's so, of course, it is no defense at all, but even if it went that far, I propose the credibility could be attacked by showing the prior record. I don't suppose too many people are going to believe that. I know one judge who is going to be hard to convince.

Mr. GAUGHAN. All right. In other words, that is a question for the jury?

Judge PERKOVICH. That's right, or the judge.

Mr. GAUGHAN. Or the court?

Judge PERKOVICH. I don't see a large problem.

Mr. GAUGHAN. No. Another reason for opposing the bill as stated here this morning was that there may be qualitative analysis given by the people who would analyze the sample.

Do you feel we could couch this bill in such terms that would knock that out?

Judge PERKOVICH. Yes; I think really what a parent or interested party wants to know is, are there any drugs in this substance? I don't think it is really material how much. If you're worried about a pusher getting a Federal stamp on his goods, saying, "this is 99 percent good stuff," I think you can stop that simply by saying, "In our analysis, there are present these substances." I don't see that problem.

Mr. GAUGHAN. You don't see any problem there—

Judge PERKOVICH. No.

Mr. GAUGHAN (continuing). As a jurist?

Judge PERKOVICH. Right. Well, the other problem is I don't know who is going to do your analyzing, but my experience is that the sheriff's crime lab takes at least 2 weeks to get this stuff down, and I can't even imagine a pusher being able to wait that long.

Mr. GAUGHAN. That is all, Mr. Chairman.

Congressman WILSON. Do you have any questions, Mr. Rousselot?

Congressman ROUSSELOT. Yes, just a couple.

Your Honor, are you aware of the district attorney's effort to set up public information service in his 16 offices in this county to try to help and encourage parents and children to seek and receive assistance on questions dealing with drugs.

Judge PERKOVICH. I am not aware of the effort. I don't say that he hasn't done it, but it hasn't come to my attention.

Congressman ROUSSELOT. Well, he said it was fairly recent, but I wondered if you had any contact with it.

Judge PERKOVICH. No, I haven't.

Congressman ROUSSELOT. Do the courts have any system, other than just your own personal time and effort, to deal with the parents or to encourage parents to come to a court to ask and seek advice on what to do?

Judge PERKOVICH. No.

Congressman ROUSSELOT. Of course, we would have to deal with it at the Federal level, but do you think that that would be a helpful service to perform? Now, I realize you can't do everything.

Judge PERKOVICH. That's the difficult thing, time. I really agree. I think if the parents and the kids could go someplace without facing the onus of prosecution, it would be helpful. You have the probation departments, but I guess everybody worries—"Well, that's the man. This guy is going to put me away. Forget it."



You need someone with more powers than a probation officer. I suppose a vehicle could be someone clothed with the powers a judge has.

Congressman ROUSSELOT. Or at least place this facility under his supervision?

Judge PERKOVICH. Right—well, not even under his supervision. Some of these people want to know that this guy he is talking with is the end of the line and what he says is it, and not all bucked up to the next guy upstairs. I don't know how you'd do it.

If I had time, I'd do more of it; I just don't. I've got the busiest court in the State, and I'm up to here now, but where I can, I do do it, mainly because I've got a lot of kids myself.

Congressman ROUSSELOT. Do you think that might be a partial answer because the court is considered to be a less partisan judge, and if it were known to parents and if this came up, they could feel free to come at certain times?

Judge PERKOVICH. I believe so. Yes, I think so.

Congressman ROUSSELOT. I was interested in your comments in response to Congressman Wilson about the juvenile problem; that you, even, in your own cases as a judge, had to send juveniles someplace else when they came for advice.

Would changes in the law be required to correct this?

Judge PERKOVICH. Well, I think so, yes.

Congressman ROUSSELOT. At the State level?

Judge PERKOVICH. Yes, the State level.

Congressman ROUSSELOT. Primarily, at the State level?

Judge PERKOVICH. Yes. We can't do much more than send them to jail, or I am sometimes able to force them into voluntary commitment. It's not really voluntary. They've got the option of committing themselves or doing 6 months in jail.

I do that only when the family is crying out and the boy says, "I'm not going to this place or that place." And I say, "Well, tell him his option is this: If he changes his mind and commits himself, I'll suspend the sentence and let him go," but these are all bootstrap operations.

Congressman ROUSSELOT. Is anybody proposing these kinds of changes? We were really both kind of shocked here today when we found out about the problem when a parent takes a juvenile into a juvenile authority and/or the police or anybody else, that the law evidently doesn't afford much help.

Judge PERKOVICH. The anomaly is if a man is on heroin and, therefore, by definition 99 percent incurable, you've got a place for him at CRC, but if he's dropping pills, if he's a pill dropper, there's a great chance of him getting off drugs. You've got a place for the heroin addict, but you don't have a place for the pillhead. Please pardon the street expression.

Congressman ROUSSELOT. That's all right. Is anybody really proposing these changes to solve these problems?

Judge PERKOVICH. I'm not aware of any.

Congressman ROUSSELOT. Would you be willing to submit for us in writing suggestions that you would have as to how this might be framed, not proposing that you have all the answers, but, at least, suggestions, so that we could pass them on?



Judge PERKOVICH. I would not like to do it ex parte. I would like to talk it out with the judges I serve with or the judges in the Los Angeles Judges Association. I belong to the conference and the Los Angeles Judges Association.

Congressman ROUSSELOT. Of course, you have these problems all the time and every day. We really just became aware of them as we listened to these parents.

Judge PERKOVICH. You mentioned that I was an expert. I don't really know many experts. I wonder indeed how many "experts" are really experts in this field.

Congressman ROUSSELOT. I guess, we're all learning the hard way. Thank you for coming here, Judge Perovich.

Congressman WILSON. The only thing further I have, Judge Perovich, is that your court is in a rather affluent area. Of course, there are parts of it, I suppose, that are to be considered low income, but generally, you have the Palos Verdes Estates area and Rolling Hills and Torrance.

Judge PERKOVICH. Correct; if you have to categorize it.

Congressman WILSON. And yet you get plenty drug problems in this area?

Judge PERKOVICH. Right.

Congressman WILSON. Do you find that there's a different type of drug used in your area than used in, say, the Watts community?

Judge PERKOVICH. Most of the stuff that is used there are reds, secondals and bennies, 99 percent.

Congressman WILSON. A little more sophisticated, I suppose?

Judge PERKOVICH. I don't know if that's sophisticated, but that's what I get all the time.

Congressman WILSON. Thank you very much. I appreciate your coming. I want to apologize that we were a little late getting started, but we were late getting away. It was 1 o'clock before we finished the early session. I appreciate very much your being with us. Thank you.

Judge PERKOVICH. Thank you.

Congressman WILSON. Our next witness is Mr. Roy Evans, and it will be necessary for me to explain the procedure. We have two anonymous witnesses, and what we will have to do is clear the hearing room until these witnesses come in. Therefore, if you don't mind doing that at this time, why, then, you will be permitted to come back immediately. (Pause.)

Congressman WILSON. One of the anonymous witnesses we had hoped to have was unable to be with us this afternoon. As this time I will introduce Mr. Roy Evans who is the executive director of Bridgeback.

Is this, Mr. Evans, what we commonly call a halfway house, one of the programs that attempts to rehabilitate drug addicts?

**STATEMENT OF ROY EVANS, FOUNDER AND EXECUTIVE DIRECTOR,  
BRIDGEBACK MODEL CENTER, LOS ANGELES, CALIF.**

Mr. EVANS. Something similar.

Congressman WILSON. We were pleased this morning to know of the Crisis House, I believe it is called, was so well thought of by at least the people who were here who had experiences with it, and it is State financed.



You might tell us a little about your program, if you will, and how it is financed and what success you have had and how many people you've helped. I don't know if any of you have prepared a statement. Perhaps, you can start with that, and give us a little background on your organization.

Mr. EVANS. Sir, I will just answer your questions to the best of my ability. Bridgeback was an attempt that evolved partly from my own efforts to continue my growth that I had begun in several similar programs. I started out in Synanon, from there to Narcotics Anonymous—let's see—Narcotics Symposium and a couple of others.

I managed to get free of 17 years' involvement, deep involvement, in drug abuse and—

Congressman WILSON. You have been a user yourself?

Mr. EVANS. Yes, sir.

Congressman WILSON. And that's how you got involved?

Mr. EVANS. Yes, sir. In partly wanting to continue my own growth—I felt the need for it 5 years ago—I also wanted to help other people to not have to go through the long 10 years' effort that I had to put in in order to achieve whatever rehabilitation that I had achieved so far.

So, out of this effort, with the help of the county department of community services in a sense that I was working for that department 5 years ago as a trainee, and I would say, given what I would like to say as encouragement to develop such a program, and out of that came Bridgeback, which for about 3½ years we operated in the south central area strictly as a volunteer program, all but totally inadequate because of lack of funds and this sort of thing.

Finally, 1 year ago we were funded by HUD's Model Cities program to the amount of \$300,000. Our program has been officially open for 9 months. We have served in some capacity 405 people that we have records to back up. The services consist of our hot line, 24-hour hot line service, and outreach program, which is a continuation of the original program, the detoxification program in the form of a contract with a local private hospital and also with a local private clinic, a residential program where we keep people.

At this time, we are handling 30 people in our residential program. We keep them for a period of 90 days and try to get them back into the community within a 6-month followup program. There is also a development program for those members who come into the program and seemingly do not need the residential program.

Congressman WILSON. It sounds like you have a big program. How many people do you have on your staff?

Mr. EVANS. Twenty-seven.

Congressman WILSON. Twenty-seven.

Congressman ROUSSELOT. Do you have any doctors or medical people on your staff?

Mr. EVANS. We have a doctor, physician, on call. We have a full-time registered nurse and a detoxification counselor, aside from the doctors and nurses as a result of the contract with the hospital and the clinic.

Congressman WILSON. Do you have many young people?

Mr. EVANS. We run an average of about 40 young people.

Congressman WILSON. What ages, under 18?

Mr. EVANS. They're all under 18. We have no one in the residential center, which I think is a real disadvantage, over 16 years old, 16 or 17 years old. I think that's a real disadvantage.



Congressman WILSON. And all of your financing today has been through the Model Cities funding you got?

Mr. EVANS. Right.

Congressman WILSON. For what period of time was that?

Mr. EVANS. Our first action year was scheduled to end the 30th of this month. There's been a first action year extension until September 30.

Congressman ROUSSELOT. Have you used up all the money, or do you still have some left?

Mr. EVANS. We have used up all the money, and a change order for more funds to keep up over until the 30th of September is now being negotiated with the city of Los Angeles.

Congressman WILSON. Mr. Gaughan, do you have some questions you would like to ask Mr. Evans?

Mr. GAUGHAN. Yes, Mr. Chairman. Mr. Evans, how much is your budget currently, your annual budget?

Mr. EVANS. \$297,000.

Mr. GAUGHAN. \$297,000. Mr. Evans, a question that this committee has been quite interested in is the legalization of marihuana. Will you tell us please, what your opinion is on that?

Mr. EVANS. I think the legalization or illegality of marihuana is really not dealing with the issue. I think it's a question that we could argue forever, because I think that certainly continuing with marihuana being dealt with as illegal will not help the situation, nor will it help the situation to legalize it.

I think this way because of the way that we've handled the alcohol problem. We legalized alcohol, and I think that we have only contributed to the problem in doing so. I think that had we not legalized it, we would have had a problem, and I think that the thing we have to concentrate on is the cause of the problem, and we have to deal with the cause.

I think that when people no longer need to escape, when people have some other resources to turn to for the discomfort that they feel, the unreasonable discomfort that they feel, then we don't have to concentrate on should we legalize or shouldn't we legalize alcohol or marihuana or any other drugs. I think there are a number of people who get along quite well without. That's because they are not feeling what those people who need it feel.

Mr. GAUGHAN. In short then, Mr. Evans, you're saying you do not believe marihuana should be legalized?

Mr. EVANS. No; I don't think it should be legalized, but I don't think that not legalizing it will solve the problem.

Mr. GAUGHAN. I see. Could you from your knowledge of the problem tell us what is this drug culture, this society or drug problem that we have today? Tell us what you think is one of the great contributing factors.

Mr. EVANS. Well, probably what I'm going to say is an oversimplification of the facts, but the only thing that I can relate to is history. It appears that when man in most affluent societies reaches a point where he no longer has to be overly concerned about the basic physical needs, such as food, clothing, and shelter, there seems to be a requirement that he turn his thoughts within, you see.

In other words, a man can begin to give attention, if you will, to philosophy, and to give attention to philosophy is a painful experience



without proper direction. One way not to do this is to escape with drugs, alcohol, homosexuality, and a number of other kinds of things, hypocrisy, you know, greed, jealousy, hate, and so forth.

Mr. GAUGHAN. Mr. EVANS, I know you are familiar with the methadone program. Would you tell us your feelings about that?

Mr. EVANS. I think that at this time, until such time as we are able to find a better solution, that methadone, if I had say over it, would be used in two ways: One, to withdraw people over a short period of time.

Mr. ROUSSELOT. What do you mean by a short period of time?

Mr. EVANS. No more than 90 days at the most. Two, it would be used after careful distinction as to whether a person has any chance at all to rehabilitate, and I really want to qualify that, because I have no way of determining that. I know that by today's standards, I would fit the bill—or I certainly would have 5 years ago—as one of those people who couldn't possibly be rehabilitated.

Five years ago, I had just finished, as I said, 17 years of deep drug involvement that totaled some 87 arrests as well as a Federal sentence in Federal penitentiary. So, I feel that 5 years ago I fit all of the requirements to be sentenced to methadone for life. I don't think methadone is the answer.

Mr. GAUGHAN. You don't think it is another answer?

Mr. EVANS. No.

Mr. GAUGHAN. Without such a program, you by your own volition were able to kick the habit?

Mr. EVANS. Not by my own volition—

Mr. GAUGHAN. How was it done?

Mr. EVANS (continuing). But with some help from a very distinguished few people. Unfortunately, there were no signs or billboards or whatnot to lead me to those people, and I had to stumble from place to place over a period of 10 years to find them, run into them.

Mr. GAUGHAN. Who were those people; can you tell us?

Mr. EVANS. Well, I think, as I said before, one of the most significant impressions that was made upon my life was at Synanon during my 9-month stay there in 1960. From that point, I had some idea, you know, that there was possibly another way to go.

I found help in the State mental hospital from a person coming in contact with many psychiatrists, psychologists, psychiatric social workers, et cetera, there. One person was able to make an influence upon my life.

Mr. GAUGHAN. Why was that one particular person able to reach you?

Mr. EVANS. I think the thing that impressed me most is that person came across to me as being for real. He came across to me not intellectually, but to my gut, you know, to my feelings. He came across to me as being a real sensitive person that really was concerned about me; that was also not willing to pamper me, nor was he willing to hurt me, you know, and I think this made a tremendous impact on me.

Mr. GAUGHAN. Mr. EVANS, one last question. I know you are familiar with this bill, and would this bill, if passed by Congress, give all concerned people one more weapon in the arsenal than is presently being used to combat the use of dangerous drugs?



Mr. EVANS. I sincerely believe it would be if it were handled correctly. I think that to just say that people should be able to take any amount of drugs and label that, it's on its way to a research laboratory or police department, would be even more destructive than if we didn't have the bill. However, if the bill were written in such a way that a very small amount, a very limited amount, just enough to test, it would be helpful.

Mr. GAUGHAN. A quarter of an ounce, would you say?

Mr. EVANS. Oh, I think that's too much. I would think more in terms of a half teaspoon or something like that, at the most, and maybe that's too much. I think that it should be a limited amount very definitely, and that people should have the opportunity to do this.

We have a number of parents who call us on our hot line, and they want answers to questions. I feel that in many cases parents reacted in destructive ways toward the youth by not knowing what they've found. From the feeling that I get, many parents are very, very confused. Anything that they see that might vaguely resemble narcotics, they get very concerned about, and I think that they should have an opportunity to find out as soon as possible, as soon as that opportunity is made available, whether their youngster is involved in drugs. If the kid is involved in drugs, at that point the parent can do whatever he would like to do, such as notify law enforcement or a rehabilitation program, or whatever.

Mr. GAUGHAN. One other thing just occurred to me, Mr. Evans. Let me put it this way: In the area in which you are operating, there are, of course, quite a bit of drugs, quite a number of parents and guardians who are worried about what is happening to their family. Is it your experience that these people that you deal with would normally walk into a police station and ask for their help to determine whether or not their child is using drugs?

Mr. EVANS. No; I think that it would be very unusual circumstances, primarily for two reasons; one, I think the people are afraid of law-enforcement, particularly in the area that I'm involved in. In my work throughout the county of Los Angeles, I think that people treat policemen and law enforcement a little bit unfairly. You know, we only want policemen around when we personally really need them, and after that, you know, the heck with that guy.

I think also the second reason is that people do not want to officially acknowledge that they have this kind of problem. I think it's very much related to the stigma of mental illness; as long as it's somebody else's family, we want to help, and this sort of thing, but we don't really want to have this kind of thing related to us, and I don't think that people feel there is any other agency or officials who would help.

Mr. GAUGHAN. Thank you. That is all, Mr. Chairman.

Mr. WILSON. Mr. Rousselot, do you have any questions?

Congressman ROUSSELOT. Yes; a couple.

I was very much interested in your statement—thank you for your very candid testimony—about the fact that this year you've roughly dealt with or tried to help 505 people, I think you said.

Mr. EVANS. 405.

Congressman ROUSSELOT. Forty-five?

Mr. EVANS. 405.



Congressman ROUSSELOT. You have 405 people that have been concerned with this problem. What percentage of those were young people roughly, would you guess; let's say, 21 or under?

Mr. EVANS. I would say that about half of them were—

Congressman ROUSSELOT. 50 percent?

Mr. EVANS (continuing). Under 21.

Congressman ROUSSELOT. I've been most interested in your comments as to what you are trying to do, some of the services you offer to try to reach out and help people, because this program came out of HUD. I sit on the Banking and Currency Committee also, and I am very much interested, because the model cities program has expanded in many ways, and I didn't know it had gone in this direction.

I assume, by the end of the year you have to submit some kind of general report of your activities. Would you be willing to make that available to this committee, so we could include it in our report as one federally funded agency that's done something, and list some of the things you've done. I think that it would be helpful, and especially if you would orient any comments you want to make personally as to those areas where you think you've been the most effective in getting results, because I think that would be helpful to us.

Mr. EVANS. I certainly would. I would be delighted to do so.

Congressman ROUSSELOT. Good. It sounds to me like the best \$300,000 we've spent in a long time.

Congressman WILSON. It's done a better job than SBA: hasn't it?

Congressman ROUSSELOT. What percentage of your \$300,000 roughly is spent in salaries? Do you know what it is roughly?

Mr. EVANS. Just a bit better—in fact, \$19,000 over 50 percent. In other words, \$169,700.

Congressman ROUSSELOT. About 52 percent. I'd be very much interested in, if it isn't in your report, what your 27 people do, I mean, the different functions they perform. We have a lot of trouble because we deal with so many bureaucracies which are huge, and we don't really know all the things that the people are doing, I think the way you apportioned your functions would be interesting to us.

Have you had any problems in dealing with the law enforcement agencies? Have they been helpful or not helpful, or have you had any occasion to deal with them?

Mr. EVANS. Law enforcement has been encouraging to the point that even I was surprise. We have a lieutenant from the local station on our advisory committee.

Congressman ROUSSELOT. This is from the police force, the city police?

Mr. EVANS. Right, as well as a director from the local probation office on our advisory board.

Congressman ROUSSELOT. County probation?

Mr. EVANS. County probation, and then I know that they could have made it rough for us if they wanted to. The sergeant in charge of narcotics at the office has made himself known to us, and we have talked to him on numerous occasions. I think they are as anxious as we are to deal with this.



Congressman ROUSSELOT. Any additional comments you could include in your report on that kind of cooperation, I think, would be helpful to us, because so many times we hear that law enforcement agencies don't care. We don't all believe that, but I think that would be helpful, and especially from someone like yourself who's been through all of this.

Mr. EVANS. Yes, sir. I'd like to say something right along that line. There seems to be a tremendous move in our expectations of law enforcement solving the problem. I think we have been very unfair, first, to ourselves and then to law enforcement for the last 25 years to sit back comfortably and expect law enforcement to solve the problem. I think law enforcement was unfair to itself to accept that responsibility.

It seems that there is a movement now to move it to the medical field. All of a sudden, we seem to believe that by some miraculous point of view that the doctors, who have never been involved up to this point, are all of a sudden going to solve our problem, and I think it's just as unreasonable to expect that the ex-addicts can solve the problem. I think that we've got to really look at this thing more realistically and begin to deal with it more realistically. I see that move afoot.

I'm involved in county planning and local planning, and I think that we can lose more years than I think we've got if we get caught up in the same kind of thing; that the doctors should control this problem or even, as I say, the ex-addicts, not that anybody is thinking about it too much, should control this problem. One other point that—

Congressman ROUSSELOT. Except, I guess, we look at the ex-addict who has come out of it, and we are kind of looking to him to help give us direction, because he's been through it.

Mr. EVANS. Right, but the point is that there are two types of ex-addicts. There's the ex-addict who has made some personality changes, changes in values, what not, changes in his basic beliefs, and there are those who have just stopped using.

Congressman ROUSSELOT. And they don't want any more involvement than that?

Mr. EVANS. You know, the point is that I see a lot of problems. I have personal experience with many people in civil service now, ex-addicts. In fact, I trained the first district office in my department. I'm on leave from the county development, community services, and I know some of the problems, and I think that we have to look at them; we have to learn how to evaluate whether an ex-addict or a doctor or even a law enforcement officer is capable of dealing with this problem. I think some of them are; I think some of them are not.

Congressman ROUSSELOT. Thank you for your comments. They've been very helpful.

Congressman WILSON. Mr. Evans, you are on county payroll?

Mr. EVANS. No; I'm on leave without pay.

Congressman WILSON. I meant, when you're not on leave, are you working for the county?

Mr. EVANS. Yes, sir.

Congressman WILSON. Did you find it difficult to get a job with the county with the background you had?

Mr. EVANS. No, because—

Congressman WILSON. Or was this what they were looking for?

Mr. EVANS. The training program in 1965, shortly after the riot,



was instituted in Watts, and they were looking for people such as myself to get involved in civil service.

Congressman WILSON. I see.

Mr. EVANS. And I came into this department 5 years ago as a trainee and worked through to the professional level.

Congressman WILSON. I know there has been difficulty in many areas for people with criminal backgrounds.

Mr. EVANS. Prior to that, it was impossible.

Congressman WILSON. Yes.

Mr. Gaughan, do you want to commence the questioning of the anonymous witness?

Mr. GAUGHAN. Yes, Mr. Chairman.

I would like to add to Mr. Rousselot's request for additional information for the record. If you could, Mr. Evans, we hope to close our records sometime in the next few weeks so that any information you do give us, if you could have it to us within approximately 2 weeks, it would be appreciated.

Mr. EVANS. I agree to that.

Mr. GAUGHAN. Fine.

Congressman ROUSSELOT. I have one additional question.

Mr. GAUGHAN. Certainly.

Congressman ROUSSELOT. I have been very much interested in your whole attitude and outlook about this problem, because it's somewhat new to many of us, and some of us have not been unfortunate enough to have it in our own family yet. So, we are also interested in the whole problem of rehabilitation, which you obviously are, too.

Any general thoughts that you could give us on what you think we could do constructively in the field of rehabilitation, either at the State, Federal or county level, I think would also be helpful, because we're all really struggling with that. Like you say, whether it is the doctor or the law enforcement agency, whoever, rehabilitation is always a major problem, too. Since you are actually dealing with that to some extent, I think that that would be helpful to us, too, because we'd like to know whether we are spending Federal money effectively. We spend an awful lot of money at the Federal level. With your actual field work, I think your thoughts would be very helpful to us.

Mr. EVANS. I'd be very happy to, sir, and just one last thing. I am concerned also about the fact that we're moving, it appears, as I vaguely mentioned a moment ago, from one extreme to another, and I think an example of that are the pressures that are coming down from Washington, Sacramento, and what not, in terms of diversion, in terms of closing up our institutions and dumping the responsibility on rehabilitation.

I have been confronting this for the past few years, and every time I bring out the question, okay, diversion is fine, but where do we divert to? You see, nobody wants to talk about that. I think one way to kill off whatever little headway we've made in rehabilitation programs is to expect these programs to immediately overnight take on the responsibility of the institution.

I think that we cannot close the institutions, and for now, we do have to maintain them. Even though it is a tax burden, we have to maintain them, and hopefully, we will be able to close them gradually as we know more about rehabilitation and as the demonstration projects begin to show that they can take on more people.



Congressman ROUSSELOT. In other words, give the demonstration projects a chance to really work or not work.

Mr. EVANS. Right, and in the meantime, there is nothing that I know of that will beat the institutions at the moment, but it can't be either/or.

Mr. GAUGHAN. I might say, Mr. Rousselot and Mr. Wilson—and I don't mean to be flattering, Mr. Evans, but during the course of our investigation in the past week, we had reason to inspect the facilities of Bridge Back on South Avalon Avenue, and I don't know when I've been so impressed by what these people are doing there with an old warehouse. It is very well kept.

Congressman ROUSSELOT. I'd like to see it.

Mr. EVANS. We'd be glad to have you.

Mr. GAUGHAN. I recommend it. It's really something to see.

Congressman WILSON. Thank you. I appreciate that observation, Mr. Gaughan. It is certainly worthwhile for us to have this kind of endorsement of your program, and Mr. Rousselot is one of the toughest people in the world to get money out of.

Congressman ROUSSELOT. That's true.

Congressman WILSON. If he becomes an advocate of your program and with his position on the Banking Committee, why, you've gained a great ally, I'll tell you.

Mr. EVANS. Thank you very much.

Mr. GAUGHAN. Mr. Chairman, for purposes of the record as to our next witness who has consented to testify anonymously this afternoon, we will refer to him as Mr. X.

Mr. X, I welcome you here today. I appreciate what you're going to do for us, to give us some inside information on how an addict thinks, how he gets into the position he finds himself in, what's happened to you, and how you have worked yourself out of that position.

First of all, sir, will you tell us your age.

#### STATEMENT OF MR. X

Mr. X. Forty.

Mr. GAUGHAN. And will you tell us how far you went through school?

Mr. X. I completed the ninth. I went to the 10th, but I completed the ninth.

Mr. GAUGHAN. And are you married or single?

Mr. X. Married.

Mr. GAUGHAN. And how long were you involved in the use of drugs?

Mr. X. Twenty-two years.

Mr. GAUGHAN. Twenty-two years?

Mr. X. I want to clarify that. That's without being in a State or some county institution.

Mr. GAUGHAN. Sir, how much time have you served in prison?

Mr. X. Approximately 8 years.

Mr. GAUGHAN. Eight years in prison?

Mr. X. Yes.

Mr. GAUGHAN. Is that Federal prison?

Mr. X. No; just State time.

Mr. GAUGHAN. When I say prison, I mean jail.

Mr. X. Between San Quentin and Folsom, and I got another 10 years between State and county terms.



Mr. GAUGHAN. Those are all your credits?

Mr. X. Right.

Mr. GAUGHAN. Go ahead. How many years?

Mr. X. Altogether about 18 years.

Mr. GAUGHAN. About 18 years out of 40 years?

Mr. X. Right.

Mr. GAUGHAN. Pretty close to half your life?

Mr. X. Right.

Mr. GAUGHAN. As a result of use of drugs?

Mr. X. Right.

Mr. GAUGHAN. Were most of these charges for which you served time, drug related?

Mr. X. All of them.

Mr. GAUGHAN. All of them were, and will you, sir, tell this committee what drug you first started with?

Mr. X. I started with marihuana.

Mr. GAUGHAN. And could you give us any reason why you started?

Mr. X. Well, a fellow told me that this was the thing, you know, this was a new high, you know, the in thing. I didn't even smoke cigarettes at the time, and after continually telling me, you know, about how good it was, then I smoked one. It didn't affect me in any way, but they told me that you were supposed to be crazy, you know, and this and the other, so as we were walking down the street, I hit a fellow to prove to them that I was crazy.

Then after I got to understand what the high was, because I didn't even understand what type of influence it was supposed to have on me, I found out that it had me laughing, and sometimes it made me feel like I was extremely sharp on things, and other times it made me sleepy, and other times it made me extremely paranoid.

Mr. GAUGHAN. So then you went from marihuana to what other drug?

Mr. X. To hard drugs; heroin.

Mr. GAUGHAN. To hard drugs; to heroin?

Mr. X. Right.

Mr. GAUGHAN. And could you tell us, at the peak of your habit, how much heroin you were using a day?

Mr. X. I was using about a hundred dollars a day, and I'd run the shoes off my feet to try to acquire that, but, you see, it's not easy for an addict to say that I use a hundred, I use 50, because he don't know what he may use. I've spent \$150 in less than an hour just buying that stuff, you know.

Mr. GAUGHAN. What made you switch from marihuana to heroin?

Mr. X. Well, I was in the reformatory, and they were using it there in the reformatory, and I was quite slender and afraid of needles like all addicts are. I said that I would never go to that, you know; that weed was good enough.

So, when I got out, a friend of mine, a brother just got out of the State penitentiary in Nevada, and he had committed a lot of drugstore robberies, so they had all types of drugs there. He told me again, you know, this is the new thing, this is the latest high.

Mr. GAUGHAN. That's where it's at, heroin?

Mr. X. Right. So, I refused, and then this other fellow was showing me and saying, "Yeah, this is really where it's at," and I stuck my arm out, and it cost me 22 years trying to get back.



Mr. GAUGHAN. Is that right. Are you suffering any physical afflictions or deformities now as a result of the use of heroin?

Mr. X. Yes; through using drugs, you know, the impurities in it have built up in my system, and, when I came to Bridgeback, I had to be cut in here, because I was leaking pus out. It chose to come out through my chest, where at one time it came out through my thigh. I was ignorant at the time; I didn't even know what it was, so I just tied a handkerchief around it and kept on stealing until I went into jail, and they straightened it out.

Mr. GAUGHAN. When you were involved in criminal activity in order to support your habit, what type of activity was that, sir?

Mr. X. I was a bunko artist.

Mr. GAUGHAN. You were a bunko artist?

Mr. X. Yes; a confidence man.

Mr. GAUGHAN. What confidences were you using?

Mr. X. Jamaican switches, as the police refer to it.

Mr. GAUGHAN. Is that Calcutta?

Mr. X. No; this is when you say, "Pardon me, sir. Can you tell me where I can find the Brownfield Hotel?" And you're saying you're a foreigner from another country and you need help.

Mr. GAUGHAN. I see, and you would con money out of that man?

Mr. X. Correct.

Mr. GAUGHAN. Did you use the pigeon drop?

Mr. X. Yes.

Mr. GAUGHAN. But most of your activity was sort of as a confidence man?

Mr. X. Right.

Mr. GAUGHAN. You didn't commit crimes of violence?

Mr. X. No.

Mr. GAUGHAN. How long have you been off heroin?

Mr. X. I have been off since the 22d of October.

Mr. GAUGHAN. And you came across that bridge through the program started by Mr. Evans?

Mr. X. Right.

Mr. GAUGHAN. Will you tell the committee, sir, how you found out about Bridgeback?

Mr. X. Well, when I came back to Los Angeles, I had a little money for some stuff and shot it all the way, and I happened to come up on Central Avenue. At that time, I saw a fellow there, and he says, "Why don't you come to the program?"

Well, I had seen programs in Washington and Oregon and San Francisco, and I didn't think too much of programs, because they went in there one day and came out the next day shooting heroin and so forth, so I figured, you know, that ain't nothing but another place to go and hide out and shoot dope.

When I did go to Bridgeback, which was about 2 weeks later, and when I went in there, what really impressed me about it, even though it was rugged and run down, was that the brother that interviewed me told me that if I was sincere and I actually wanted to do something for myself, due to the crowded conditions, he would give me his bed, you know. I looked down at that man—I was leaking this pus out of my chest. He was a kid, about 22—you know, I couldn't think any more about him, so I told him I definitely would be back.



So, I came back that night, and I got in bed, and I kicked it. I hadn't seen Mr. Evans for quite some time now, and I was also pleased when he saw me.

Mr. GAUGHAN. Did you kick it cold turkey?

Mr. X. Right.

Mr. GAUGHAN. Along that line, sir, what do you think of the methadone program?

Mr. X. Well, I feel like Mr. Evans about the methadone program—and I'm not saying it because he said it—because it's a fact that you've got a big problem with methadone. The only way to use methadone properly is to detoxify a person, because when you use methadone on an adult—I'm just referring to the addict—you don't change the addict's life style, you don't change his pattern, so you haven't put anything there.

The only thing you're doing is you're stopping him from stealing for the heroin, but he's got to feel or do other things he's been doing all the time to support the other things he has.

Mr. GAUGHAN. Substituting one drug for another?

Mr. X. In a sense of speaking. Well, what I'm trying to clarify is that when you give him methadone, you're saying, you know, "Well, here is your dope, so you don't have to steal," but the man has been stealing for 15 or 20 years.

Mr. GAUGHAN. He's going to go right on, because the pattern has been established?

Mr. X. Yes, the pattern's been established and all his associates and everything.

Mr. GAUGHAN. Have you even seen any fatalities resulting from drugs?

Mr. X. Yes.

Mr. GAUGHAN. I know you told me of an incident of a young man who was in desperate need of help.

Mr. X. Yes; two fellows and I had just come back from swindling a woman out of some money, and we walked into this hotel, and this fellow was sweating, and he said that this guy had just taken an overdose.

So, when we walked in, I looked the guy over, and he was in bed there. I saw the guy was in a panic, so me and the other fellow proceeded to fix; use some heroin.

Mr. GAUGHAN. Even though he desperately needed help?

Mr. X. Yes, but we were sick, and dope fiends fixed dope first, so we fixed dope. Then I went over, and I looked at the guy, and I saw that he was pretty far gone, so I worked on him for about a half an hour. Then I started sweating, and I then knew that I needed more dope, so I had to leave the fellow, and he died.

Mr. GAUGHAN. Sir, I know you are familiar with the provisions of this bill. Do you, in your opinion, feel that this is something that will add to the arsenal of defense against the further growth of drugs?

Mr. X. On first impression, I didn't think too much about it. I thought more or less like it was a snitch bill in a sense of speaking, but then again——

Congressman ROUSELOT. A what bill?

Mr. X. A snitch bill, you know, just making an entire community snitches.



Then when I thought about it seriously, especially with the lady that we were talking to—she knew nothing—then I had to think back to my mother when she first found the weed and when she used to see the burned spoons and didn't know and would ask the neighbors, and they didn't know.

I think that, you know, if you keep it to a small amount and you've got different provisions in it, like get a chemist to tell you what is needed. He can tell you exactly what is needed to determine whether it's narcotics or not, and in this respect I think it would be effective, because definitely people are always willing to do something anonymous.

Mr. GAUGHAN. Mr. Chairman, Mr. Rousselot, the woman to whom Mr. X is referring was to be a witness here today, but unfortunately she became quite ill. She told us during the course of our investigation that she had three children on drugs. She thought the fourth one was on, but she wasn't sure. She had eight children altogether, and from the time she became aware of them having these various pills and foreign substances around the house, she had nowhere to turn and didn't know what to do with it. They kept telling her to trust them and not to worry about them. She said that if such a program were available to her at the time, she would have availed herself of it.

That is all, Mr. Chairman.

Congressman WILSON. Thank you.

Mr. Rousselot, do you have any questions?

Mr. ROUSSELOT. Mr. X, you've certainly given us a moving experience. I think for myself, a person and individual who hasn't been directly connected with this except in the last 5 years, it is difficult for me to realize what you have been through and how tough it is to deal with these problems once you're in the midst of it. Therefore, what we are trying to do, as you know, is to find ways we can get parents to realize how serious it is, one; and two, take definite action to help their own children not to get sucked up into it as you were.

You mention that you went to many other institutions or places to try to help yourself.

Mr. X. No; I was sent by the court.

Congressman ROUSSELOT. All right, you were sent there. Now, what made Bridgeback different from those other institutions, and could you give us a couple of ideas of other specific places. Were you talking about hospitals or what?

Mr. X. Yes, right. You know, like I had never been in a drug abuse program before, and the one institution that I was involved in—I don't want to take credit away from them—made quite an impression on me, the two people, and he was a beautiful doctor, Dr. Feinman.

Congressman ROUSSELOT. Dr. Feinman?

Mr. X. Right.

Congressman ROUSSELOT. Where was he located?

Mr. X. In Chino. And what impressed me so much about Bridge Back was the sincerity that the people had there, and also, the people was the same. What I mean by the same is that they were addicts, and they were able to understand me, they were able to tell me what I should do and shouldn't do. In looking at them, I began to ask myself, could I accomplish the same thing, especially looking at this man here, because I've known him from the days of shooting it out of a wine tap, and looking at a couple of other people—



Congressman ROUSSELOT. Shooting where?

Mr. X. Shooting heroin out of a wine cap. You get a wine cap, and then you go in a bathroom and then you get water out of the bathtub, and that's pretty low. That's pretty low. You put that in your system, too, and can you imagine me having pus in my chest? I should have died.

So, this is why I feel like when I went in this program that the sincerity that I received from the people in there and the encouragement that I received from them and then looking at the ones that I knew that were hard-core addicts who had made a complete change.

Congressman ROUSSELOT. That impressed you?

Mr. X. That impressed me. That impressed me.

Congressman ROUSSELOT. It's nice to hear of a federally funded program that's got a result. We like to hear that.

Mr. X. I hope you think that all the time.

Congressman ROUSSELOT. What counsel do you give addicts at Bridge Back when your advice is sought; what do you say to them?

Mr. X. Sought?

Congressman ROUSSELOT. When they ask you, what do you say?

Mr. X. Sought, you say?

Congressman ROUSSELOT. When your advice is sought after, what do you say to them?

Mr. X. Well, it depends on the individual.

Congressman ROUSSELOT. Give us a couple of examples.

Mr. X. Well, I'll take as an example a 21 year old that first came, and he wanted help, and I told him that we would have to put him on the waiting list. He said that he broke his outfit up, and I told him what to do was to go home and stay home and come back tomorrow, and we'll give you an evaluation and then take you to the interview panel, and then we'll take you in.

So, I knew when I was sending him back out there that he's subject to be arrested, because at the time he was high, but he'd need a fix in the morning, and that's exactly what happened. So, anyway, I had a chance to deal with him, because he was lucky enough to go before a judge that knew about our program and sent him there, and when he got there, he was very nice, and then he found out that he had summary probation and that really he didn't have to do any reporting, so he became a little negative. Then I had to point out to him that all his values and the feeling he had, you know, of what is right and what is wrong, is going to carry him straight to the penitentiary, you know, and you're not going to go up there and do anything but wear some blue denim trousers and starch and get our two cartons of cigarettes, some Ohio crackers and have a homosexual affair.

There are several other things that I had to go through. This is just off the top of my head.

Congressman ROUSSELOT. Did he listen?

Mr. X. Yes, he listened. I made him cry, but I lost him, too.

Congressman ROUSSELOT. Do you have any specifics that you might want to either submit in writing or otherwise as to how we in our so-called educational program, State, local, can do a better job of reaching parents to explain to them how serious this problem is and why they need to be involved?



Mr. X. That's a pretty big question. Yes, I think that you need to devise some type of way where you can educate parents of the dangers of drugs and make them more aware of their responsibility toward their children. The only time parents feel like they should be involved with their children is when the situation happens to their house.

It's just like the things we say here about affluent and ghetto. You know, the only reason why you're here is because it's come to your house, and that's why it's becoming a problem now, and that's why the State legislature is making this bill. We should have been doing it all the time.

Congressman ROUSSELOT. Yes.

Mr. X. And this is the thing that we should be dealing with. You know, it covers such a wide thing. You know, because all through my institutional life, I have been, you know, in a program, and they say, "You came out of a broken home," and that entails the problem. It took a long time for the man to make me see that.

It comes from a variety of problems, just like when you take a fellow from our program, and we get the guy a job, send him back out into the community, but it may be a disappointment with a sweetheart or just an argument with his mother-in-law or something that carries him back into using drugs again. So, it covers a variety of problems. You just can't say it's one specific thing and say this is the solution.

Congressman ROUSSELOT. Well, you see one reason for this legislation is to try to get to drug users before they go down the road as far as you went. I guess that's what we're talking about, and since we spend an awful lot of Federal money in the field of education, I just wondered—and I realize that that's a big question to answer.

Mr. X. I just couldn't give you one specific answer.

Congressman ROUSSELOT. And we can't answer it, but you've been there.

Mr. X. Yes.

Congressman ROUSSELOT. You've seen some pretty horrible things as you've described, and if you have any ideas you'd like to give us, please do so. Every little bit may help just like you said.

Mr. X. Right, it definitely would have to be in the future. I couldn't do it off the top of my head.

Congressman ROUSSELOT. Fine, very good.

Congressman WILSON. Perhaps, when Mr. Evans submits the information he was asked for, if you are able to supplement, Mr. X, with recommendations and suggestions in addition to what we've asked, it would be helpful.

Mr. EVANS. Thank you.

Congressman WILSON. We would appreciate it very much. Have you found either of you in your experiences that family life or the interest or lack of interest of parents is much of a factor in what happens to the young person who may get started on drugs?

Mr. EVANS. I think this is the primary factor, but not only just in the home. This is the same thing that seems to persist in the church, in our country in general. It seems that, say, one or two generations ago it was sufficient for people to satisfy their needs at least for the moment in materialism, in working hard, you know, in order to bring their kids up and all of this kind of thing.

The further we go back, it seems in this country it was sufficient for the moment to do that. We find that most parents feel usually when



their children do something wrong, you know, they want to administer punishment. When they like the kid or they want to make the kid happy, they buy him something. It seems to me that when we talk about the good family, we're talking about the family that was able to send the kids to college, the family that was able to keep shoes on the kids, this type of thing.

I think that we see that the younger generation is not impressed with that; that they're looking for another way of fulfilling their needs, because, you know, they recognize from a feeling level, you see, that people, say, as much as one, two, three generations before them weren't really happy. I think that the kids learn much more from their parents, but I'd go so far as to say they learn 90 percent of what they learn from what they feel rather than what their parents tell them, and they sort of feel the hypocrisy.

None of us—and I think we're all suffering from that to a degree—none of us really like to bring our dirty laundry out, and it seems that we have a tendency to wear a front, if you will, and we approach our kids with this front. We tell those kids, "Now, you do as I say do, not as I do on a feeling level," and the kids are rebelling against this. They don't know the answer. OK? So, they run out and talk to people who talk their language, you see. Some of these people masquerade as people in rehabilitation. You find it in the schools, teachers wearing the long hair and all of this, you know, "Yeah, I'm with you," type of thing. You know, kids get to know them pretty soon, this kind of thing.

You know, it's a feeling thing, and I think that's what we're going to have to deal with. This is where I think we'll find the problem, and certainly we can't just forget about the external factors, but we have to look not only in the home but in the way that we all feel about ourselves and about people.

Mr. X. I would like to add a little more to that, and I think this will shed a little light on the other question that you asked me about thought, in dealing with the truth, because like they say, only truth will set you free.

You can't fool kids, and in dealing with them, I reveal my own experiences to them, and I relate to them. In answer to the question Mr. Wilson asked about all this being related to the home, this is dealing again with Bridgeback which calls it the truth, gut level.

Yes, I can recall when I came from the institution once that I used stuff, because when I got to the house, the lock on the back door was changed. The only way that I felt that I could get some love or to hurt my mother is I went and killed myself on the use of narcotics.

As I run across these experiences with a lot of young people that I talked with, who are, maybe, trying to find out which way they can get some love from their parents, and the only way they can do it is in a negative way, to go out and try to kill themselves. And even to say more on that subject, a mother is fooling around with another man, and then she tells you about sex and how to be and not to be, and then you start thinking which way is right and which way is wrong; drunk on alcohol and telling you don't smoke the weed.

So, you say, "Which one is worse? I'm not in the condition she's in. I'm not in the condition he's in." That's another thing I get from talking with them, because a lot of black kids have got distorted values. They don't know the proper way to channel themselves, like I don't and didn't then, because I still don't know all the proper ways. They don't



channel their thing to confronting their teachers, you know, about this thing, freedom and equality and justice for all. They don't confront their teachers about the lies that are said in the history books.

You know, they don't confront them, because they don't have no knowledge to confront them. They don't have any information. All they know how to do is just drop pills and take a big old red kitchen match and a bottle of wine and throw a brick over at a police car and say "revolution," and that's a fact.

Congressman ROUSSELOT. That gives us a lot to think about.

Congressman WILSON. It's been very worthwhile testimony. We certainly appreciate Mr. Evans and Mr. X being with us. I'm going to get out and see your program in action.

Congressman ROUSSELOT. We may bring some others with us.

Congressman WILSON. Do you have any other questions, Mr. Gaughan?

Mr. GAUGHAN. No, Mr. Chairman.

I would just like to say, Mr. X and Mr. Evans, you've been most helpful, and our prayers and best wishes go with you.

Mr. EVANS. Thank you very much.

Mr. X. Thank you.

Congressman WILSON. Thank you very much.

We have another very distinguished witness to hear from now, Mr. Gerald Hilby, who is an attorney at law in Redondo Beach, Calif. Mr. Hilby is a member of the Board of Trustees of South Bay Union High School District, which serves the cities of Redondo Beach, Hermosa Beach and Manhattan Beach.

I don't know if Hermosa Beach has any more problems than Manhattan or Redondo. I've heard a lot about them in the hearings, though, and I know that in your work on the school board and your work as an attorney defending people involved in this problem, that you have some ideas about the problem we're discussing today.

We would particularly like to know what you think of the bill that we're considering and then any other observations you'd like to make to the committee would certainly be appreciated.

#### STATEMENT OF GERALD M. HILBY, ATTORNEY AT LAW, REDONDO BEACH, CALIF.

Mr. HILBY. Thank you, Mr. Wilson. I appreciate the compliment as a distinguished person. That's something which I feel is—

Congressman WILSON. I think I should say you are also president of the Chamber of Commerce of Redondo Beach; is that right?

Mr. HILBY. Yes; I don't know how distinguished I am to be very honest, though. I've read the bill, and I've read the literature that's been sent out and the letter. I've thought about it considerably, and I think, as in the letter I wrote to you—and I'm sorry, Mr. Rousselot, that I failed to mention you in the heading of the letter—that I feel as Judge Perkovich and Mr. Evans and the others who have spoken, that anything we can do, any tool that a parent has to perhaps recognize for the first time that their child, if it is that situation, is involved in some way or another in the drug scene or using narcotics, or these chemical substances that I mentioned in that letter that I sent. I was thinking of perhaps toluene or perhaps glue, in that area.



I was graduated from law school in 1960 and went to work for the Los Angeles County Public Defender first of all. At that time, the public defender only defended people who were charged with felonies who were indigent, but since then it's broadened. In any event, I've seen a lot of people come walking down the pike who do have drug problems, and I see a lot of it, not directly in the sense of being on the School Board of the South Bay Union High School District, but still defending people who are charged with crime.

I know that I got involved in one recently where a young student at El Camino College, a community college in our area, which serves the basic south bay area. This 19-year-old boy was selling, first, I found out, small quantities of marihuana. He got busted later for selling a kilo to a narcotics officer from the city of Torrance. He had a good scholastic record, and I think that what eventually came out of it—it went all the way out on a felony—is that Judge Donahue made it a misdemeanor by way of sentence, and the arresting officers agreed to be sentenced to this extent, that this young person had been helpful to the officers by being an informer after that in coming to the source of that supply of marihuana, where he got that 1 kilo, but I think had his mother, who had custody—it was a broken family, a divorced family—had his mother been aware or perhaps even looked further than she did and realized in the beginning that he was involved in some manner in the use of "grass" and had she had the opportunity to send this to some agency designated in this county and to have an analysis run on that, that I think she might have been able to do something, at least, bring the father in, perhaps other people also.

In this letter that I wrote, I indicated, just as Mr. Evans and Mr. X indicated, that there's nothing that Congress, if this proposed bill does become legislation, can deal with, but the parents really, after they do find out that their child has maybe some barbiturates or amphetamines or some of the more dangerous drugs or narcotics, have to know how they're going to handle the situation, which that none of us can foresee.

As I indicated, they might be able to develop a level of communication with their child which would be meaningful and might not; it might drive them further into the drug scene, depending on the parents' attitude and reaction of finding out that their child did have some substance which was illegal per se, in their possession. To say it again and to say it finally, I think anything that Congress can do by passing such legislation as this would be beneficial, and it might do something. If it will do anything, that's something that's good.

Congressman WILSON. From the testimony earlier today, we found that the bill was not written tight enough.

One of the principal objections we heard this morning was that there is no size limitation or restriction on the amount of drugs that could be mailed in. Therefore, a person could wrap up a drug and address it to a post office box for the purpose of transporting drugs illegally under the protection of this legislation. However, Mr. Evans stated that it doesn't really take a large amount of a drug to analyze it. Would you please comment?

Mr. HILBY. I think so, too. I guess what it would take, is that there would have to be some sort of publicity when it did become law, indicating to the public in some manner or another the quantities that



should be sent in and not more than that. I heard some comment out in the hallway before this afternoon session began that maybe some of the pushers would use it as a ruse to say, "Here in my pocket I've got an envelope." Maybe, it has cocaine or mescaline or heroin in it in larger amounts than it would be even construed to be something. It would be necessary to measure it, but they would have an escape mechanism.

As Judge Perkovich said, I think that not only the credibility of the witness who was—let's say the person was arrested for possession, and he raised this as a defense. That would be up to that particular amount, but I know that if I knew a little bit about the background of the individual—and perhaps I wouldn't if I were, say, sitting on a jury hearing this case—that I would be rather negative, I think, in my mind as to someone who was carrying a large quantity and trying to say that he was just using the law as provided to send this through the mail. I don't think I'd believe him, in other words.

I think it can be abused, but I think intelligent people and the various law enforcement officers would take this into consideration.

Congressman WILSON. Of course, Judge Perkovich indicated that he didn't feel that would be a defense in itself.

Mr. GAUGHAN, do you have any questions of Mr. Hilby?

Mr. GAUGHAN. Yes; a couple, sir.

Counselor, I know you've had an extensive practice in the defense of persons charged with possession of narcotics. Do you, sir, find a reluctance on the part of some parents, or many parents, to accept the fact that their children are taking drugs and are involved in the drug scene?

Mr. HILBY. No; I haven't really run across that problem. I think that among the parents that I've talked to, that once they recognized the problem, then they ask what can we do; that they won't close their eyes to it and say that my boy couldn't do this or my daughter couldn't be involved in it. It's just basically that once they find out—and that's the important part of this proposed legislation—

Mr. GAUGHAN. In other words, parents are not trying to avoid the responsibility anymore?

Mr. HILBY. I don't think so. I think with the publicity—when I say the publicity, I mean, the public concern and the newspapers and the problems that you read about people overdosing and things like that.

I was talking to a teacher the other night from the Wilmington area. He was talking about some of the students in his class talking about a brother who died of an overdose, things like that. I think parents are aware of the dangers or the heinousness of the use of these crutches to try to find new self-awareness or whatever it might be on the part of individuals.

Mr. GAUGHAN. There has been some testimony brought forth here that in this pill-taking, alcohol-consuming society in which we live, where we now even have drugs for Excedrin headache No. 41 and Excedrin headache No. 45, that this creates an atmosphere for our younger generation to find that drug culture to be very acceptable to them. Is the older generation responsible for a large part of our problem?

Mr. HILBY. I think that is part of the problem, and I would like to think, too, not to borrow from what Mr. Evans said, It's like



reading "The Rise and Fall of the Roman Empire"; that as this society becomes more affluent, there's less need to struggle to provide the basic necessities of life, and there's more free and leisure time, so anything that comes walking down the pike—

The younger people, I think, in part from my experiences, the peer groups, are the real pressure groups on them, and it's the parents being inconsistent, too, in the sense that if they consume too much alcoholic beverage, or things like that, and are just not with it, the child rationalizes, "What's wrong with me smoking a little grass?" Their buddies are smoking it, and they want to be friends, and they don't want to be excluded from that particular group of people who are supposedly the in group from their own particular point of view or a small group of people.

I think it's just waiting for them there, and I think they rationalize their parents' action away, "How can you tell us what to do? Look at what you're doing."

Mr. GAUGHAN. Now, counselor, for the \$64 question that this committee has been most interested in. From your vast knowledge in the defense mechanisms of our courts, how do you feel about the legalization of marihuana?

Mr. HILBY. I don't think it should be legalized.

Mr. GAUGHAN. You are completely opposed to it?

Mr. HILBY. I am completely opposed. Don't misunderstand me. I drink alcoholic beverages socially on occasion, and that is a depressant just as some of the barbiturates. Marihuana is something different than that, but I think generally is that if you legalize something like this, it might well be—as Mr. X said, that was his first step on the road. Maybe there were many other factors, but that was the first thing he started using before he got on the hard stuff.

Mr. GAUGHAN. That is all, Mr. Chairman.

Congressman WILSON. Thank you. Mr. Rousselot, do you have any questions?

Congressman ROUSSELOT. Yes. I do have a copy of your letter. I've read it since you have mentioned it, and I was very much interested in your statement in the letter about:

I believe there is a real lack of practical knowledge by parents on dangerous drugs. That in and of itself is part of the problem. They don't know what to do after they do discover it.

How many cases have you handled roughly, with young people involved that are drug-related?

Mr. HILBY. I would think over—I was admitted to the bar in June of 1960, and I would think that I probably handled in excess of 200 cases where there was either a violation of law, which was not drugs per se, but there was a drug situation that perhaps led to that, but drugs as such where they're arrested for possession of various narcotics, marihuana, sales and so forth, things like that, I would say would be in excess of 200. This would not be just juveniles alone, people under 21, but total overall.

Congressman ROUSSELOT. Total for all cases?

Mr. HILBY. About 200.

Congressman ROUSSELOT. What percentage of that would you say were in the juvenile category?

Mr. HILBY. I would think probably at least 75 percent.



Congressman ROUSSELOT. Would you have any suggestions as to how we could improve the laws either at the State or Federal level to deal with the problem, which has been mentioned by the judge and others in the juvenile areas, that almost precludes parents of children of juvenile age and law enforcement agencies from taking definitive, early action to come to grips with the drug problem? Can you comment on that?

Mr. HILBY. I think that once a parents was aware of the fact that the child did possess some drug or a narcotic or other substance which they became aware of, that if they could go to some counseling agency or something like this, if they didn't feel that they were equipped—my boy is 16, and I sometimes feel I can't communicate with him. I don't know why. Maybe he's just at that age, but sometimes we're really, as they say, rapping, and other times, he's very quiet and won't say anything, but if the parents felt that they were incapable of trying to make the child aware of the potential harm to him of his course of action, if he continues and if they didn't feel that, I have no thoughts other than it would have to be either some private entity, or, maybe, a government-funded entity, where there would be counselors or someone who could make it very graphic as to what happens to some people just to try to shock them.

I don't know. That may be one solution, or counsel them, appealing to their intellect as to what the dangers are by the continued possession or use of the substances.

Congressman ROUSSELOT. Of your 200 cases—have you finished?

Mr. HILBY. Yes, I have.

Congressman ROUSSELOT. Of your 200 cases, how many were in jail by the time you were brought in?

Mr. HILBY. Most of the cases I've been either appointed by the court or parents have contacted me when their child has been arrested at a party or being present, let's say, where narcotics were being used. Most of the ones that I have been involved with have not been in custody per se at that moment. They had either been bailed out by their parents or not been in custody up until the time of arraignment. I mean, they might have been in for a few days, but after that, they were not in custody at the time of trial if it ever goes to trial. Out of most of the cases, I might say and as you probably know, only a very small percentage ever go to trial.

If you don't beat them on illegal search and seizure, you try to plea bargain and things like this. Courts are pretty much like Judge Perkovich: if it is the first time around, the court, I think, will do as all of us probably would do, let him go, let him have a chance unless it's really a hard situation where there is a lot more than possession of a few ounces of grass or some pills or things like that.

I don't know, Mr. Rousselot, whether I've answered your question or not.

Congressman ROUSSELOT. Well, partially. Let me follow through this way: we had some testimony here today both by former addicts and law enforcement people that sometimes sitting in jail for 5 days or a week at least forces rethinking on their part. Do you share that thought?

Mr. HILBY. I run into a few cases where the boy or girl has been in custody. In fact, I was involved in one last week where a girl was coming up for probation report and sentence, a 19-year-old girl, who



had been an accessory after the fact of disposing of some stolen goods. I talked to her for a while, and she had been on marihuana and things like that, but she had spent—well, her parents had bailed her out. I urged them to bail her out after I had talked to her. She had spent some time, I think about 6 days in MacLaren Hall, and she just said she couldn't take it anymore in there, and she gave me the impression, at least, that that was enough for her. She was 19, but she had one prior petty theft from some store in the South Bay area where she was put on probation, but I believe that did shock her to some extent.

Congressman ROUSSELOT. Yes. That's what I'm asking. In the cases you've dealt with, sending them to jail—and I'm not talking about the penitentiary—doesn't hurt their personality or anything, does it?

Mr. HILBY. I don't think it hurts their personality if they stay in for a limited period of time. I get feedback—and I've not been in a jail except to visit prisoners—and I hear it's a rather foreboding place for anybody to go, and it may have a tendency to warp more people than it does help.

Congressman ROUSSELOT. We've had quite a bit of testimony especially from former addicts about the fact that they started on marihuana. Have you found in the cases you've dealt with that many of the source of marihuana, whatever they are, or contacts, also turn out to be the sources of higher forms of drugs and, therefore, are actively encouraging people using marihuana to move on to other things?

Mr. HILBY. I think from what my experience is, that if you can buy marihuana from somebody, you can also buy other drugs. I've talked to quite a few young people, and the impression that I get in just trying to find out what's going on, so I'd be better equipped to understand them, is that they're pretty down on heroin. I mean, they have been shocked. I don't know what's happening in this area. They're willing to go on grass, and they have no qualms about taking barbiturates or amphetamines, but when it comes to heroin, it's something different. From the ones I've talked to, mescaline doesn't seem to be that tragic to them. They don't feel they can get hooked on it, nor even cocaine.

Congressman ROUSSELOT. But the sources of supply for marihuana do turn out to be the sources of supply in an overwhelming majority of cases for higher forms of drugs or more addictive forms of drugs?

Mr. HILBY. I think so. I can't say with certainty.

Congressman ROUSSELOT. No, but I mean, at least in your experience?

Mr. HILBY. That's true.

Congressman ROUSSELOT. The reason I ask that is because we have a great number of people who say that marihuana isn't physically that much of a problem; therefore, it's OK. One of the things we're trying to find out is if it isn't a fact that the sources of marihuana are also the sources for more addictive forms of drugs, and, therefore, that in and of itself puts the young person in contact with a future seller to them of other forms of drugs. Won't that in itself be a problem?

Mr. HILBY. I've talked to a couple of people, and first to answer your question, I think it is a problem, but even though somebody is pushing marihuana, which they might bring across from Mexico for selling these lids of marihuana, that that person selling the lids of marihuana, perhaps, knows of those people who are selling the hard stuff



I just don't have any facts to answer you specifically. I think if you're buying from somebody and if you wanted, you can buy anything.

Congressman ROUSSELOT. It puts you in touch with that kind of activity, I guess, is your point. All right, thank you.

Congressman WILSON. Mr. Hilby, while we haven't had a great number of people here today who have been former addicts or parents of people who have become addicts, those we have had said that they did start with marihuana, and then went on to heroin or to barbiturates.

Why does this happen? Is it because marihuana loses its effectiveness in time, the effect that they try to gain, or is it because they're influenced by associates? If marihuana is not addictive, or if it's not as dangerous as many people say it is, why do users go from marihuana to something else? Do you have any reasons for that?

Mr. HILBY. No; I can't answer with definitely, but from what I've heard people say is that they're maybe smoking marihuana or smoking it pretty heavily, and the high that they get out of that sort of runs out, so they seek out from their own standpoint, for want of a better word—if they're so insecure, they have such a need for something that would give them a greater high, marihuana won't do it, so they'll seek something that's more dramatic from their standpoint, or they hear about it from other people. I think that is just my opinion from what I've heard.

Congressman WILSON. Well, thank you very much. We certainly appreciate your taking the time from your very busy schedule to be with us today, and you've made a great contribution to our hearing.

Our last witness for the day is Capt. Jack McGregor, who is a law enforcement officer with 23 years' experience, and who is in charge of the Investigation Division of the Inglewood Police Department. In that division, he supervises the operation of the vice and narcotics unit in the city of Inglewood. Inglewood is a city of 92,000, and it is a city, I think, that has all of the problems of every other city, large or small.

Captain McGregor, I'm certainly pleased to have you with us today, and if you will introduce your associate for the record and just make whatever statement you'd like to make.

**STATEMENT OF CAPT. JACK O. MCGREGOR, COMMANDER, INVESTIGATIONS DIVISION, INGLEWOOD, CALIF., POLICE DEPARTMENT, ACCOMPANIED BY ALEX AUGUSTA, SERGEANT, JUVENILE SECTION**

Captain MCGREGOR. Mr. Chairman, this is Sgt. Alex Augusta from our juvenile section of the police department.

I'd like to mention here that Chief Jay Stroh and I reviewed the bill. We feel that the original intent of the author of the bill was genuine, and it has a very good point.

We do find objections to this bill in that perhaps maybe the bill is somewhat too brief. We are quite concerned about the testing agency as an example. We do not do our own testing; we do not have our own lab. Consequently, we depend upon the sheriff's office, the Los Angeles County Crime Lab, to do our testing. At the present time,



the time taken to run a criminal sample runs on the average of 3 weeks, and this in itself poses some problems in preparing cases for court by the time we come in for a preliminary hearing. We would not like to see this additional burden placed on that unit unless the facility were expanded.

The second criticism we have here in its present form is the possibility of mail thefts of any obviously marked containers or packages. Even though you've mentioned here now that the sample would be small, some people we feel would not want to hold the balance if they found this in their son's jacket or pocket, and they want to discreetly have this analyzed. Maybe the mother or the father wouldn't want to take a portion of this ounce or whatever it might be out and hold onto the rest of it; they'd like to have it all out of the house, I'd think.

In Inglewood we have experienced in 1971 35 thefts from mailboxes. Now, this is the corner-type mailbox where mail is placed in the drop box-type thing. We also find that the——

Congressman ROUSSELOT. Thirty-five mail thefts of what?

Captain MCGREGOR. Theft of mail.

Congressman ROUSSELOT. Theft of mail in general?

Captain MCGREGOR. Of mail in general. And usually this is some type of package that's obviously marked, a retirement check, some sort of a government check, something they can recognize by the package.

Congressman ROUSSELOT. In other words, it's usually easily identifiable?

Captain MCGREGOR. Right, something that is marked in some way. We find that the bill does not provide the citizen with any sort of remedial direction or recourse. OK, now he'd discover that this is heroin or some drug; now he still has to make the decision, does he turn this problem over to his doctor, the health department, the police department; where does he go?

We also see the possibility of a narcotic violator using this as some sort of a system to confirm his samples, particularly not so much with the street peddler but, say, the person who has a large quantity, and he has some reason to want to verify it in that way.

We feel also that the bill would provide a means for the curiosity seeker and/or the psychotic to send in samples which would here again unnecessarily load the crime lab with this type of thing. We've had people bring in as high as 25 or 30 samples into the police department, because they have some idea that someone in the world is trying to poison them, and these things would be baking soda, table salt, sugar, all sorts of things.

The curiosity seeker is the person that's walking down the sidewalk, he picks up something, he doesn't know where this came from or how it arrived there, but he gets the idea, I wonder if this is a narcotic, and he sends it in, and he's no better off knowing that it is narcotics at that point.

I think we also feel that we provide a service, and we hope that we have the rapport with the citizens of our community that should they elect to bring in something that they have found on their premises for an opinion, or be also subjected to the field test kit, which this test can be administered for about 50 cents on the average. We can



advise them at that point if we feel it is or isn't a narcotic or a dangerous drug, and also, at that point we can refer them to some of the agencies or services that are available in our immediate area.

And beyond that, I think I would like to let it go now to questions, and hopefully I can help with the answers.

Congressman WILSON. Thank you very much, Captain McGregor.

Mr. Gaughan, would you like to ask some questions?

Mr. GAUGHAN. Yes, sir.

Captain, you say that you are presently providing a service for people in the community. How many samples have you had brought into your police department, say, during the last year or two?

Captain MCGREGOR. I would have to say on those that we do not keep statistics or records. Perhaps Sergeant Augusta might be able to give you some kind of an estimate on that.

Sergeant AUGUSTA. Since I have been attached to the juvenile section, where we do handle a majority of the narcotics problems—I've been there slightly under 3 months—I would say in that 3-month period, I've had approximately eight to 10 parents or citizens who have found anything from a narcotic cigarette to some type of pill come in for analyzation.

Mr. GAUGHAN. How large a community is that, sir?

Captain MCGREGOR. We have approximately 92,000 people.

Mr. GAUGHAN. And how many officers in your police department?

Captain MCGREGOR. We have 142 at present.

Mr. GAUGHAN. Captain, if we may, I would like to go down your list of objections and talk with you a little more about them. I am concerned that you have mentioned an overloading of the testing laboratories. In order to clarify the bill, I think in some cases we are seeing things that don't exist there in the sense that this bill is not saying that every community has to set up a lab or that the labs that are presently used have to be used.

In other words, a committee may very well decide to set up and appropriate money especially for a laboratory that would handle such cases. I just want to clarify that, so you understand it. We are not saying that all the labs that are presently used by police departments have to be the laboratories used.

Congressman WILSON. We would, of course, have to provide Federal funding for this program. There is no question there's a budget problem there.

Captain MCGREGOR. This is more or less what I was getting at there when I said in its present brief form. Perhaps, we should have maybe assumed that some of these things were in the mind of the author, but he didn't—

Congressman ROUSSELOT. But you didn't see it in the bill.

Congressman WILSON. We recognize that there are several deficiencies, and if we pursue it, it obviously has to be amended.

Mr. GAUGHAN. I might also, sir, mention to you that we have had testimony in another hearing where it was strongly suggested that police laboratories not be used. There has been testimony that there are areas where people will not in any way trust anything to do with the police. It has been suggested that a county laboratory or some such thing be the designated authority.

You mentioned mail thefts as another possibility. I am sure, sir, you are aware that the mails are constantly being used by banks. Vari-



ous packages and envelopes are going through the mail quite obviously by the designated address having something of value or even great value in them. Theft of mail is a problem, but would there be any greater problem than there has been by putting these small samples of drugs in the mail? Do you think it's going to greatly increase mail thefts?

Captain MCGREGOR. I would say negative except we have no guideline here as to how large a sample would be considered necessary to send through the mails, and I can't as an expert at all tell you how much it would take.

Mr. GAUGHAN. We should find out, shouldn't we, how much it would take, the smallest possible sample that could be used by a chemist?

Captain MCGREGOR. Here again, I think we have to consider how do people mail these packages. We have quite a few apartment districts where they have a common place under the mailbox area, a pocket, where they drop their mail to be picked up by the postman, so these packages would be more or less inside.

Congressman ROUSSELOT. You were also, if I understood you, concerned about the marking and the identification of the mail; that if there was an extensive public information program under this proposed law to tell people how to send it in and how to mark it, if that became too easily identifiable, you're saying then that becomes an easy mark for potential theft even though we have all kinds of systems of trying to prevent that theft; it becomes easily marked? Was that your point?

Captain MCGREGOR. Right; a post office box or something of that nature.

Congressman ROUSSELOT. So, we would also have to be concerned about the marking of the mail.

Mr. GAUGHAN. I would like, Captain, to call your attention to this: In the city of Buffalo, the Buffalo Police Department has a program which they call analysis anonymous, where a person can come into the police station and get an envelope that has a number on it, tear off a tab that bears the same number, then put the drug or suspected drug in it and leave it at the police station. He then can call back in a few days, identify himself by his number, and find out whether it's a dangerous drug or not.

In the samples that they have received—and the program has been in effect for about a year and a half—they have received so far approximately 500 samples of which 50 percent proved to be positive.

Captain MCGREGOR. Well, you have more statistics there than we have.

Mr. GAUGHAN. I know you've raised some very legitimate questions that we're going to have to give a lot of thought to in tightening up this bill.

You mentioned curiosity seekers and psychotics who could use this method, but wouldn't it also be true that they could do the same under any method, walking into a police station or—

Captain MCGREGOR. Yes, but here again, in the police department on an individual basis, we would screen these so that the crime lab doesn't have the expense and the manpower problem. We could test it with a field test kit if it were necessary, and in some instances we can tell just by sight that it's obviously something else.



Mr. GAUGHAN. That is all, Mr. Chairman.

Congressman WILSON. Thank you, Mr. Gaughan. Mr. Rousselot?

Congressman ROUSSELOT. Yes; first of all, thank you for being willing to testify. It is helpful to have someone from a smaller community so to speak, too. Obviously, the drug problem exists there.

Referring to your comments about a field test kit, are these used by all police departments to screen out a sample before you send it in for criminal research?

Captain MCGREGOR. Yes, I believe today most police departments are using this type of kit. It will tell you if it is positive in a negative sort of way, if you understand what I mean.

Congressman ROUSSELOT. It's kind of a screening process?

Captain MCGREGOR. It will usually weed out those samples that are not drugs or narcotics.

Congressman ROUSSELOT. Does it take long to use a field test kit, or does it run a sample quickly?

Captain MCGREGOR. Approximately a minute, a minute and a half.

Congressman ROUSSELOT. A minute. So, it is a quick process?

Captain MCGREGOR. Right.

Congressman ROUSSELOT. That testing process, although it is very minimal, would that help screen out a lot of the crackpot things or just guesses or misguesses or whatever?

Captain MCGREGOR. Right. What this is, it gives us a positive enough test that we are reasonably certain that it is a drug or narcotic, but it's not positive enough that we can use in court.

Congressman ROUSSELOT. It's really a screening process. Maybe we ought to consider that sort of process. Captain McGregor, I think it's been very helpful to have your thoughts on the problems that you see, because that's what we've got to know.

You mentioned that you have some specific programs in your own department to try to encourage parents and others. Would you be willing to submit for the record those specific things that you are now doing either through your juvenile department or otherwise to educate parents, encourage them to talk to you. And not to let the problem get too far down the road, because, of course, one of the major reasons for this potential tool is to try to give parents a way to find out this information. Could you submit those things that you have found successful?

Captain MCGREGOR. Yes. When I spoke of that, what I had reference to is our educational program that we provide our service clubs, our schools.

Congressman ROUSSELOT. You have a program specifically in the schools?

Captain MCGREGOR. Right; we have a demonstration kit here, which we use in our program. I'd like to show that to you if you have the time.

Congressman ROUSSELOT. Fine.

Mr. GAUGHAN. Oh, yes; please.

Congressman WILSON. Is this similar to what the county does, Captain? I know the Los Angeles Police Department and the county sheriff's department have programs where they go out and actually show the drugs and the instruments that go with them to school classes.

Captain MCGREGOR. Yes; it would be parallel with that program.



Congressman ROUSSELOT. All right, now, are the parents involved in this program, too?

Captain MCGREGOR. Well, they are not, of course, present at the school, but we have made this program available to church groups, service club groups, this type of thing.

Congressman ROUSSELOT. I see. So, you get it to the service clubs, PTA's, that kind of thing?

Captain MCGREGOR. Yes.

Congressman ROUSSELOT. Fine.

Captain MCGREGOR. And this is also the kind of samples that would be going through the mails.

Congressman ROUSSELOT. Very good. I wonder, to the best of your knowledge, do most of the police departments or sheriff's departments in the county do this kind of thing also, a similar kind of thing?

Captain MCGREGOR. To the best of my knowledge, sir, they do. They all have this.

Congressman ROUSSELOT. I know they do in Alhambra, which is my district, and San Gabriel and some of the other places.

Captain MCGREGOR. Yes.

Congressman ROUSSELOT. Now, do you do this on a regular basis at the high school level and other places?

Captain MCGREGOR. Yes.

Congressman ROUSSELOT. How many times a year would you take this out?

Sergeant AUGUSTA. We've just set up a new program where we have assigned seven officers, two are permanently assigned, work on the campus. That's where they spend their time, an 8-hour day, and they now have six other officers assigned to the different types of programs, basically rap sessions with the kids.

Congressman WILSON. You do it as often as you get the opportunity?

Sergeant AUGUSTA. That's correct.

Congressman WILSON. Upon request at any time?

Sergeant AUGUSTA. Definitely, definitely.

Congressman ROUSSELOT. Well, it's certainly more than once a year. You get each class as they come along, that kind of thing.

Sergeant AUGUSTA. Our officers do go right into the classroom and replace the teacher for that day.

Congressman ROUSSELOT. Well, it's become very obvious in our hearings that one of the important areas of interest is the parents, because we've all been told that if they knew ahead of time, they would have worked more diligently to do whatever they could to have tried to run this down before it got too far away. I suppose you realize that, too, and will probably try to rededicate your efforts to get the parents to do so in a community of 92,000.

Captain MCGREGOR. That's not only true in just narcotics.

Congressman ROUSSELOT. Any other alternatives that you find or have found to be successful, we'd like to have if you haven't already submitted it in your statement, because it's been said over and over again here today, we are looking for whatever way we can to get at this problem and not to just let it go on. It has sucked at the guts of too much of our society already, and we want to get at it in effective ways.

We are very, very grateful to you, Captain McGregor, for being will-



ing to come to this hearing today, and we didn't mean to keep you waiting so long.

Congressman WILSON. It has been a long afternoon. Captain, I think Mr. Gaughan has another question. When you finish, I'll have one other question, Mr. Gaughan.

Mr. GAUGHAN. Captain and Sergeant, may I add my thanks to you for your very professional opinion. It has been most helpful, and because you are informed on this terrible problem and because this committee is so concerned about the question that is bothering us all, we would be very grateful if you will give us your opinion about the legalization of marihuana.

Captain MCGREGOR. Well, we feel as has been related here by the last person to testify that there's too much association between marihuana and the other drugs, and when you ask the question, does the person that sells marihuana or furnishes marihuana, how does the consumer get turned to other things, generally, you will find that the prospective buyer goes to his contact to buy it, and he gets the pitch that the seller is out of it; would he like to try something else, that type of thing.

It's kind of like the old story, you go in to buy the \$100 black and white television set, and you come out with the \$500 console, and that's the way these things do progress.

Congressman ROUSSELOT. In other words, the pusher uses marihuana as a lead item as they say in the retail business and then takes him into the other drugs, because he gets a better profit out of it?

Captain MCGREGOR. Right, and in a great many instances, because there has been a considerable amount of coverage on marihuana, and the scientific groups, as I understand it, haven't really converged on one answer, it leads to telegraphing this doubt down to the consumer to the point where some people put it in the same category as alcohol or something else.

Congressman ROUSSELOT. And young people don't have the discriminative ability to decide what they shouldn't go on, and it becomes easier to go on, especially in the younger categories.

Captain MCGREGOR. And they're at the age of experimentation.

I might also throw in here just perhaps for a little better understanding that we have practically no arrests anymore for the old drunk juvenile, the kid who goes out on Friday night after the football game and gets two beers and winds up flat on his face. We don't hardly have



that at all, very, very few that's not directly associated. Sure, they may have a beer, but they've had seconal, or they've had some other drug.

Congressman ROUSSELOT. In other words, it's now drugs?

Captain MCGREGOR. Right, that type of thing.

Congressman WILSON. Captain, the only other thing—Mr. Gaughan, are you finished?

Mr. GAUGHAN. I'm all done, sir.

Congressman WILSON. I've seen a program that the Kiwanis Club has where they prepared a pamphlet that shows different types of drugs and a lot of drug information. I suppose it's the Rotary Club in some other communities, but Kiwanis, I believe, has been involved in this type of program in our area. We've heard over and over again all day today from so many witnesses that the key to this whole thing seems to be parental information, having parents properly informed and notified.

Do you feel that programs of that type are of any help?

Captain MCGREGOR. I think those programs are helpful.

As a matter of fact, as you know, a great many of these things when properly prescribed are legal to possess. In other words, you might find them in the family medicine cabinet, and probably some parents have these in their possession, and they don't even realize that they are a dangerous drug in the hands of a juvenile when not administered properly.

This identification program permits them at least to know those things on the third shelf really shouldn't be on the third shelf. They should, you know, put them away.

Congressman ROUSSELOT. In other words, the parents have it on the basis of a prescription by a doctor, and they don't realize that the kids may find it. That's a good point.

Captain MCGREGOR. Right, this could be administered for watching your weight, making you sleep, whatever. You may recognize some of those we have on display. The majority of them are prescription drugs.

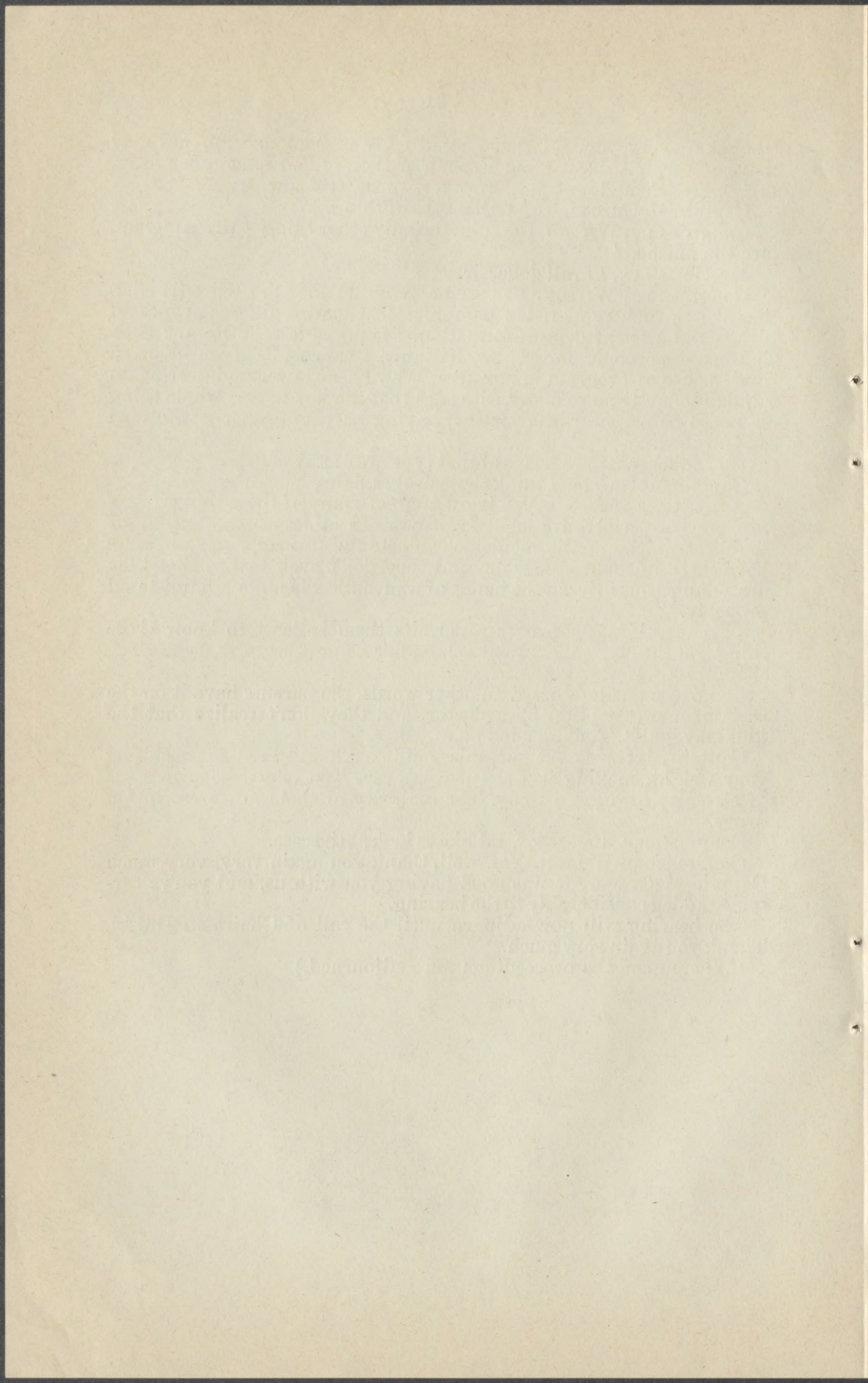
Congressman ROUSSELOT. I'd like to look at the case.

Congressman WILSON. Yes, well, thank you again very, very much Captain McGregor. It was good having you with us, and you've certainly added considerably to the hearing.

The hearing will now adjourn until the call of Chairman Dulski. Thank you again very much.

(Whereupon, the proceedings were adjourned.)







## MAILING OF DRUG SAMPLES TO GOVERNMENT OFFICIALS FOR ANALYSIS

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WEDNESDAY, MAY 10, 1972

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON POSTAL FACILITIES AND MAIL  
OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 210, Cannon House Office Building, Hon. Robert N. C. Nix (chairman of the subcommittee) presiding.

Mr. Nix. The subcommittee will come to order.

Our purpose today is to take one step on the long road back in the fight against narcotic addiction, an ever growing curse in our country. Although narcotics addiction has been with us for a long time, it has now assumed epidemic proportions.

Our goal is not to bemoan how bad things are, but to take constructive steps to eliminate or reduce the peril.

Chairman Dulski's bill, H.R. 12382, is a most constructive approach to the problem. It provides a means to aid voluntary programs begun in many police departments across the country. It will work this way. A law enforcement agency will provide any interested party with an identification number to be used in analyzing samples of material which may be narcotic in nature.

If a parent, for instance, wishes to have material analyzed to see if it is a narcotic drug and what kind, he may use this number on an envelope and mail the material to a police agency for analysis. The parent can then obtain the results of such analysis by contacting the police agency and refer to the identification number and ask for the results of the analysis.

In this way, the parent will not have to reveal his identity or the identity of the children. Today that same parent would be reluctant to use the mails for this purpose and if he delivers such material personally for analysis or seeks to obtain the results without the use of the mails he may lose his anonymity.

I would like to quote a section of the New Drug Abuse Prevention and Control Act, 21 U.S.C. 843(b) for the consideration of the subcommittee:

(b) It shall be unlawful for any person knowingly or intentionally to use any communication facility in committing or in causing or facilitating the commission of any act or acts constituting a felony under any provision of this subchapter or subchapter II of this chapter. Each separate use of a communication facility shall be a separate offense under this subsection. For purposes of this subsection, the term "communication facility" means any and all public and private instrumentalities used or useful in the transmission of writing, signs,



signals, pictures, or sounds of all kinds or includes mail, telephone, wire, radio, and all other means of communication.

I interpret the statute to mean that a citizen who would mail narcotic items for analysis, a proper purpose, would have to prove his innocence; that is, there was no intent to commit a felony.

As the law now stands, narcotics may be mailed for a proper purpose, but the person mailing the matter might be or frequently is unprotected from legal interrogation, embarrassment and in some instances, prosecution under the law since the following section 21 U.S.C. 844, provides for prosecution for possession of narcotics without a prescription or doctor's permission.

I quote the first sentence of that section, 21 U.S.C. 844(a) :

It shall be unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this subchapter or subchapter II of this chapter.

We seek to move successfully this legislation to eliminate conflicts in existing law which in essence is designed to protect the citizens of this country who are law abiding people.

The chairman of this subcommittee compliments the chairman of the full committee for his wisdom in sponsoring this bill to aid voluntary police programs that are utterly dependent on complete public cooperation.

Our first witness today is the chairman of the subcommittee, the Honorable Thaddeus J. Dulski. We are deeply grateful for the opportunity to hear him at this time.

#### STATEMENT OF HON. THADDEUS J. DULSKI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. DULSKI. Mr. Chairman, I appreciate very much your arranging this hearing today on my bill, H.R. 12383, which I introduced last January to permit persons to use the mails to seek advice anonymously from Government agencies as to whether or not substances found in their homes are dangerous drugs.

Present law prohibits the sending of dangerous drugs through the mails. But I feel a strong case can be made for a limited exception, as provided for in my bill, to enable properly worried parents to seek competent counsel about substances which they discover on the person or in the belongings of their children.

As you well know, Mr. Chairman, the drug problem among young people is critical, and I believe sincerely that we should seek to cooperate in every way possible with family members who need and seek factual information upon which to proceed.

In March, the Subcommittee on Investigations, of which I am chairman, arranged for 2 days of hearings in Buffalo, N.Y., on the subject of my bill. Last month, further hearings were held by the subcommittee in Los Angeles.

At both of these investigative hearings, the consensus was clearly in support of the purpose of my bill. There were technical objections raised, but in most cases these resulted from a misunderstanding of the legislative intent.



The bill contains no provision which compels any agency to provide analysis services. It merely authorizes the mailing of substances for analysis to any government agency which wishes to provide the service.

There are a number of instances across the country where local law enforcement agencies have sought to accomplish the same purpose without using the mails. While some of these programs have enjoyed some success, this bill would expand those possibilities to the benefit of all our citizens.

While we are told that no law enforcement agency would prosecute a person for doing so, it is inconceivable that these agencies would want to wink at the law by using the mails while the prohibition exists.

In both the Buffalo and Los Angeles hearings, we heard testimony from parents and others who are intimately familiar with the tragic circumstances surrounding the proliferation of drugs among our young people.

Almost without exception, these witnesses endorsed my proposal and expressed regret only that the opportunity it would provide was not available to them when they faced the problem in their own families.

Mr. Chairman, the excellent testimony, which was elicited from representatives of various law enforcement agencies and other civic representatives, as well as from parents and others familiar with specific drug cases, will be made available to your subcommittee for its reference in connection with consideration of the pending measure. The function of our subcommittee, of course, is simply investigative—the legislative authority resides in your subcommittee.

I have been informed that a witness for the U.S. Postal Service scheduled to appear before your subcommittee today will suggest that the pending legislation is not necessary because the Postal Service could act by regulation, providing it has clearance from the Department of Justice.

This view of the Postal Service is most interesting. Certainly it would provide a shortcut to permitting the use of the mails in this antidrug effort.

Of course, the view of the Postal Service is contingent upon the approval of the Department of Justice and the suggestion that this could be done by regulation comes as a new viewpoint. In fact, our earlier inquiries had convinced us that the exception in the law could be provided only through legislation.

However, we welcome this new possibility and would hope that the Justice Department and the Postal Service can act quickly to grant this exception. I strongly urge, however, that we pursue our legislative responsibility in this area until such administrative action is forthcoming.

After introducing my bill in January, and consulting with the various agencies and officials in Washington, I sent out an invitation to law enforcement officials all across the country for comment on my bill. The response to this nationwide inquiry was most heartening and the concept received widespread support.

There were some officials who thought the change in the law was unnecessary because they felt they could handle inquiries in their own manner and in some cases actually were doing so.



However, the greater majority of law enforcement officials indicated sympathetic reaction to the proposal as being one additional step in the effort to assist families in dealing with the drug problem at home.

I discussed the concept of using the mails with Sheriff Michael A. Amico of Erie County, N.Y.—the county in which my home city of Buffalo is located. Sheriff Amico assured me that his office would be happy to analyze samples that were mailed anonymously by family members.

The factor of anonymity is considered essential in order to help those parents who are hesitant to approach law-enforcement officials openly.

My suggestion has been that the sender include with the sample a code number of, let's say, six numerals, retaining a duplicate of the code number. After a specified period of days, perhaps a week, the individual would call the law enforcement agency and ask for a report on the sample submitted with that code number. There also could be the inclusion of the date as a cross-reference against the possibility of duplicate code numbers.

In making the report to the family, it is my clear intention that the agency should simply state whether the substance is indeed a dangerous drug. There should be no detail given as to the kind of drug or any elaboration beyond the fact that it is or is not a dangerous drug.

This proviso answers one of the complaints offered by some witnesses that "pushers" and other dope peddlers might utilize the laboratory analysis for checking on the quality of their supplies.

It would be ridiculous, of course, to provide any elaboration because such detail is not needed by the parents.

Armed with the fact that a dangerous drug was indeed found on the person or in the belongings of one of their children, the next move would be for the parents to act accordingly on the basis of fact.

This could be counseling with the family physician, with school authorities, with appropriate social agencies, or even with law enforcement agencies for assistance.

One of the advantages of permitting the parents to mail the drug samples anonymously to the law enforcement agencies, except for the code, would be the prospect that it might help to restore vitally needed rapport between the citizenry and law enforcement officers.

The question was raised by some of the law enforcement agencies as to where they would obtain the laboratory facilities for analyzing the drug samples.

I recognize fully that this problem will vary from community to community but I am confident that this matter can be worked out. I would not expect that the volume of samples would be such as to provide a great burden except possibly in metropolitan areas where the laboratory facilities ought to be adequate.

Further—and to repeat—this legislation is permissive; not compulsory.

Simply put, my bill has a twofold purpose: First, it is intended to provide parents with facts to replace suspicions in dealing with a potential drug problem within their families.

Unfounded suspicions can wreck family relationships unnecessarily and without some means of providing facts, the parents, individual children, and the entire family can suffer irreparably.



Second, I believe this exception in the law would contribute in an important measure to the overall effort to control traffic in narcotics by encouraging the cooperation of families and hopefully improving their relations with law enforcement officers.

Those in police work are interested in preventive action just as much as in enforcement. In this case, it would be intercepting drug problems hopefully before they endanger either the individuals themselves or society in general.

Mr. Chairman, as I said earlier, I am making available to your subcommittee the complete transcripts and other information developed in the investigative hearings which the Subcommittee on Investigations held in Buffalo and in Los Angeles.

As a result of those hearings, I am more convinced than ever on the need for action, either by legislation or by a regulation issued by the Postal Service, if indeed such administrative action is permissible within the framework of existing law.

I shall be interested in the testimony of the witnesses who are participating in today's hearing.

Again, Mr. Chairman, I appreciate your calling this hearing on this subject of such widespread concern in our society.

Mr. Chairman, this completes my prepared statement. However, I have a few other comments.

As I said, I believe the Postal Service intends to ask the Justice Department for clearance regarding regulations it wishes to issue in this area. I have been waiting for the Justice Department for months for its review of the Westinghouse report approved by our committee.

The full committee believed there was a possibility of something wrong. The Justice Department takes its sweet time and says, "We are very busy." If the Postal Service is going to rely on the Justice Department to act swiftly to approve such a regulation, you can rest assured there will be snow on the ground in August in Washington or, to be more specific, we will see the adjournment of the 93d Congress coming into effect before they act.

I have great regard for the Justice Department and I know they are overloaded with work. This bill was not introduced yesterday or last night. This bill has been before the Congress for almost 6 months. So I can't rely on administrative action.

I have more faith in your subcommittee, Mr. Chairman. This legislation must become law. The people realize the drug problem they have. They know what the consequences are if help is not forthcoming.

I know the Postal Service is sincere, but waiting for the Justice Department is not going to solve the problem we face with narcotics.

Reporters are calling. People are calling, wanting to know what has happened with the \$3.5 million Westinghouse contract.

It is buried right at the present time and I can't get the Justice Department to act. So I appeal to you, Mr. Chairman, to give full consideration to this bill.

I just want to thank you again and express my deep sincerity for your consideration of my legislation at this time.

I am ready to answer any questions the subcommittee might have.

Mr. Nix. Mr. Chairman, I want to assure you that this subcommittee will act expeditiously. We realize the legislation is needed. In substance it makes great sense to me.



I make this observation. I think at this time in the history of this country we lack parental control. For those parents who are deeply concerned for the welfare of their children, this is an aid to them in this particular field, and I think it is a wonderful thing to present this legislation.

I again give you the assurance the subcommittee will act, and act immediately, to bring this matter to the full committee.

I have no questions.

Mrs. Andrews.

Mrs. ANDREWS. I have no questions.

Mr. DULSKI. Thank you very much, Mr. Chairman.

Mr. NIX. We have listed two additional witnesses. Mr. W. Allen Sanders, Assistant General Counsel, Legislative Division, U.S. Postal Service is here at this time.

Mr. Sanders, I want to welcome you on behalf of the other members of the subcommittee. You may take the chair and introduce your associates, and proceed at your pleasure.

**STATEMENT OF W. ALLEN SANDERS, ASSISTANT GENERAL COUNSEL, LEGISLATIVE DIVISION, U.S. POSTAL SERVICE, ACCOMPANIED BY CHARLES A. MILLER, DIRECTOR, OFFICE OF CRIMINAL INVESTIGATIONS, POSTAL INSPECTION SERVICE**

Mr. SANDERS. I am W. Allen Sanders, Assistant General Counsel, Legislative Division, U.S. Postal Service. Accompanying me is Charles A. Miller, Director, Office of Criminal Investigations, Postal Inspection Service.

I welcome this opportunity to testify on H.R. 12383, a bill to authorize substances suspected of being drugs to be sent through the mails to Government officials for analysis.

Although we support the purpose of H.R. 12383, the Postal Service questions whether additional legislation is necessary to achieve the desired results.

At the present time, there is no provision in the Postal Reorganization Act which of its own force prohibits the mailing of drugs. The Comprehensive Drug Abuse Prevention and Control Act of 1970, however, proscribes the use of any communication facility, including the mails, to commit or facilitate the commission of an act constituting a felony under the Control Act (21 U.S.C. 843(b)). One such felony is the knowing or intentional unauthorized distribution of certain "controlled substances" (Id. 841(a)(1)).

In addition to the proscriptions in title 21, section 1716 of title 18, United States Code, prohibits the mailing of "All kinds of poison \* \* \* and all other natural or artificial articles, compositions, or materials which may kill or injure another" and authorizes the Postmaster General to limit the transmission of "poisonous drugs and medicines." However, due to the ambiguity of the term "poison," the restrictions in title 18 are not as effective in dealing with drug abuse as are the more recently enacted provisions contained in title 21.

In view of the fact that the statutes declaring drugs nonmailable require an element of knowledge to invoke the criminal sanctions, it seems clear that an individual could not be successfully prosecuted for mailing to law enforcement agencies for analysis a substance which



he merely suspected of being a drug. Moreover, from a practical standpoint, it is inconceivable that any citizen would be prosecuted for even knowingly mailing drugs for a valid purpose to law enforcement agencies. Obscene matter is routinely mailed to the Postal Inspection Service for attention and, on occasion, nonmailable firearms and lottery materials are similarly received.

In addition, insofar as 18 U.S.C. 1716 may be interpreted as proscribing the mailing of drugs to Government agencies for analysis, it seems clear that any such problem could be resolved without the enactment of additional legislation. The second paragraph of section 1716 provides as follows:

The Postal Service may permit the transmission in the mails, under such rules and regulations as it shall prescribe as to preparation and packing, of any such articles which are not outwardly or of their own force dangerous or injurious to life, health, or property.

It is my view that under this authority the Postal Service could issue regulations allowing drugs to be sent through the mails in small amounts for analysis.

Thus, not only does there not appear to be a need for Federal legislation to authorize use of the mails for the kind of drug analysis program suggested by the bill, there seems to be no legal impediment to the voluntary establishment of such programs by individual communities in cooperation with the Postal Inspection Service and other Federal law enforcement agencies. However, inasmuch as an interpretation of statutes imposing criminal penalties is required, we would defer to the opinion of the Justice Department with regard to whether the legislation is necessary to accomplish the desired results.

Nevertheless, if the Congress should decide that Federal legislation is desirable to authorize individuals to mail suspected drug samples for analysis purposes, it is our opinion that such legislation should be drafted in the form of amendments to 18 U.S.C. 1716 and 21 U.S.C. 843 (b), and not as a new section to chapter 30 of title 39. Appropriate amendments to title 18 and title 21 seem to be the more direct method since the intent of the legislation would be to excuse what might be considered a technical violation of the proscriptions contained in those titles.

If it is decided that Federal legislation on this subject is necessary, there appear to be certain administrative weaknesses in the proposed legislation as it is now written. There is no provision for providing funds to establish analysis programs at all governmental levels. Substances could be mailed to drug abuse prevention agencies which have neither the facilities nor the expertise to conduct such analyses.

Furthermore, it is possible that some law enforcement agencies would disagree with the wisdom of instituting a program to permit individuals to obtain an analysis of drugs on an anonymous basis. This is an additional reason for suggesting that local programs set up and financed by individual communities, if they deem it necessary, would be a preferable alternative to H.R. 12383.

There appear to be other administrative problems associated with H.R. 12383. For a system such as the one proposed in the bill to be effective, the address utilized for mailing suspected drug samples would have to be widely publicized. This publicity would likely invite mail



theft and pose serious problems of mail security for the Postal Service as was the case under former regulations requiring the distinctive marking of mailings containing firearms.

Thus, while not opposed to the basic intent of this type of legislation, the Postal Service would not, for the reasons discussed, favor enactment of H.R. 12383 in its present form. However, if after consultation with the Justice Department the committee determines that the legislation is necessary or desirable, the Postal Service would not oppose its enactment if it were revised as suggested to amend titles 18 and 21 rather than title 39.

This concludes my prepared statement. Thank you, Mr. Chairman. Mr. Nix. Thank you, Mr. Sanders.

I take it that the middle paragraph of your last page is expressive of the position taken by the Postal Service. Specifically you are not opposed; however, you prefer having the opinion of the Justice Department.

In the event that the Justice Department agrees that the legislation is necessary and is in proper form, you would have no objection.

Mr. SANDERS. Yes, sir, that is correct.

As I understand it, the spokesman for the Justice Department will testify at this hearing later today. It is my understanding, although I certainly cannot speak for the Justice Department, that they agree with the Postal Service that perhaps the problem could be taken care of administratively without the enactment of legislation.

Mr. Nix. Let me ask you this. You concede of course that a person sending such material through the mail, if arrested, would have to establish his innocence.

Mr. SANDERS. First of all, Mr. Chairman, it is just inconceivable to me that such a person would ever be arrested.

Mr. Miller, who heads the Criminal Investigation Force of the Postal Inspection Service, could perhaps speak better to that. The Postal Inspection Service has the authority for investigating and enforcing our criminal laws as they relate to the Postal Service.

Mr. Nix. Let me just say this before you answer, Mr. Miller. As a result of a long career, practicing law in the criminal courts, I have found that the inconceivable to lots of people is conceivable to me.

Go right ahead, Mr. Miller.

Mr. MILLER. I know of no instance—and I think I would know if any such instance occurred—of a person being arrested, at least by a postal inspector, for mailing drugs to a law enforcement agency, or some community organization set up to analyze the contents of the drug; that is, an official agency of that sort.

We have no such cases.

Mr. Nix. Mr. Miller, the fact that you know of no instance does not justify the retention of the present system. Despite the fact that you know of no instance, there might well be many instances, and the fact that you know of no instance does not relieve the person seeking to send these drugs through the mail from possible arrest, possible conviction and embarrassment, and the necessity to explain that their children are suspected of using drugs.

They are seeking this service to determine the truth. It does not relieve them of that.

Mr. MILLER. It does not relieve them of some concern before they decide to mail it.



Mr. NIX. These are legitimate concerns in the society in which we are living, where the escalating use of drugs among the young is a fact known to everyone who bothers to read. That is true, is it not?

Mr. MILLER. Yes.

Mr. SANDERS. If I may interject a comment, Mr. Chairman.

Mr. NIX. Yes.

Mr. SANDERS. As we have stated in our prepared statement here, the Postal Service does have authority to issue a regulation that would make it absolutely clear that as far as the postal statute is concerned this would not be illegal.

It is also my understanding—I cannot speak for the Justice Department—that the Justice Department feels that under the Drug Control Act it has the authority to waive the registration of people who handle or send drugs, so that it would be clear under that act there would be no violation of law concerned.

So it seems to me if those steps were taken perhaps there would not be any need for the additional legislation on the subject.

Mr. NIX. Mr. Sanders, having admitted that the problem exists, that it is known by the people all over this country, are you saying that the Postal Service is remiss in its responsibility for not having issued such an order? Is that what you are saying?

Mr. SANDERS. No, I do not think we are saying that. I think that there are certainly some practical problems that need to be investigated. I suppose that there are those who might disagree with the wisdom of this proposal, or at least could see there might be some practical problems involved in the administration of this proposal.

As I understand it, Mr. Chairman, the basic purpose of this bill is to enable parents to seek counsel about substances found in their children's possession without incurring the risk of a police investigation or prosecution of their children for drug offense.

The whole idea of the bill is premised on the assumption that parents do not trust, or at least are afraid of, law enforcement officials. It has not been my experience that law enforcement officials are anxious to prosecute juveniles whose parents are voluntarily seeking to cooperate with the police.

For example, to use a personal reference, I am the father of six children, four of whom are teenagers at the present time. If I found a substance in the possession of one of my children that I suspected of being an illicit drug, I do not think that I would want to send that substance through the mail and possibly wait for a week or 2 weeks, or even longer, before finding out if that substance was a drug.

I think that I would want to take action immediately, and that I would want to not let that child out of my sight until I had resolved the problem.

First of all, I think I would attempt to find out from the child itself what the substance was, where it was obtained, and so forth, and in addition, if I had any doubt about the answers, or if there were any reasons to do so, I personally would have no hesitancy about contacting the appropriate law enforcement officials in my jurisdiction to seek help with such a problem.

I think they would cooperate in every way. This has been my experience in the past.

Let me hasten to add those are merely my personal observations, and I certainly can envision situations whereby a parent who may



be in a different position may want to utilize this proposal that has been made.

Because of that I think I can speak for the Postal Service in saying that we would be willing to cooperate and to do whatever is possible within our resources and capabilities to attempt to deal with the problem.

It seems to me that a good way to approach this problem would be to set up an experimental or pilot program in some particular community which was anxious or willing to cooperate in this program, and determine how it worked out, to see if any problems developed, or if this were actually needed, or if parents took advantage of it.

I think that the Postal Service would be willing to do what it could to cooperate in such a program with the Bureau of Narcotics and Dangerous Drugs, with the Justice Department.

Mr. Nix. Mr. Sanders, I deeply appreciate the attitude you have shown, and I am particularly glad you did not require the general public to live up to your standards of conduct. There are many variations from the high standards you set for yourself.

The relationship between you and your children is of the best and the finest, but the relationship between others and their children I can assure you is at variance with your relationship.

You speak of a pilot program. I have never been so sick of anything as I am of pilot programs. We have had hundreds of pilot programs in the Government today.

When we feel either we are too lazy to act or we are not sufficiently conversant with the subject matter under discussion, we say we will set up a pilot program. We set it up, and it runs. It costs the Government untold thousands of money.

Then we turn to some other cause, and we never quite confront the problem that we gave to the pilot program.

Just yesterday on the floor of the House they had legislation to limit to 2 years all of these advisory commissions—3,000-and-some advisory commissions, over 500 of them having no hearings at all.

I put that in the same category as I do generally pilot programs.

I am interested to know how expeditiously the Postal Service would act in effecting regulations which would take the place of this type of legislation.

Mr. SANDERS. As a purely legal matter of course, Mr. Chairman, we would have to cooperate with and seek the advice and counsel of the Department of Justice, because there are two statutes involved here.

As a legal matter it certainly would not accomplish anything if the Postal Service issued a regulation under the statute which it administers, and the Justice Department concluded under the Drug Control Act that such mailings would nevertheless be illegal.

So it would be necessary for the Postal Service to work with the Bureau of Narcotics and Dangerous Drugs in the Justice Department. It is that agency which is the primary agency within the Government that has the expertise in dealing with the drug control problem.

We, of course, in the Postal Service are primarily concerned with the carriage of the mail, but we are certainly willing to do whatever is possible within our resources and capabilities to deal with this problem.



I think we would have to, because of the legal situation and because of the practicalities of this situation, rely on the advice and the guidance and cooperation of the Justice Department in this matter.

Mr. NIX. I can truly say your answer is clothed in the diplomacy of evasiveness. It seems to give an answer. I wanted to know how long it would take, but you have not answered that at all.

Mr. SANDERS. I do not think that I can give you a specific time limit, Mr. Chairman. I simply say that we will do the best we can.

Mr. NIX. That I can accept.

Mrs. Andrews?

Mrs. ANDREWS. This, as you know, is new to me. I have not had an opportunity to study the bill. The question that comes to my mind is whether or not it would be possible for a postal employee to recognize these envelopes and collect them. I am sure most of the postal employees are honest, but occasionally in any organization someone departs from the rules.

For example, my husband and I received a fruit cake via the Postal Service which had been opened and the entire heart eaten out of it.

Perhaps you have solved this problem. Would the samples be registered in some way so that they could not be collected and stolen?

Mr. NIX. What we found when we went to Secaucus was the construction of one of the outstanding postal facilities in the country. They have so many peepholes around there that they can observe the activities of the personnel, so I do not think they could eat a raisin of a cake in the new facilities.

I think all of that is taken care of, so I do not think we will have that problem, Mrs. Andrews.

Mr. SANDERS. Mr. Chairman, as we did point out in our prepared statement, in the past in some of our larger post offices in our big cities we did have a serious problem with our regulations dealing with the mailing of firearms. At one time our regulations were designed in order to give protection to these mailings, requiring them to have a distinctive marking.

Experience has shown, however, that because these packages were readily identified, out of the millions of packages that went through a large post office, they stuck out like a sore thumb, and because of this we did have a problem with theft of firearms among our postal employees.

Maybe I could ask Mr. Miller to comment on this problem in more detail.

It is possible that, although I think procedures could be developed to avoid this problem in this connection, it is certainly one of the practical problems that the Postal Service would want to investigate very closely and develop procedures to avoid any such problem occurring, as Mrs. Andrews suggested might be possible here.

Maybe I could ask Mr. Miller to comment on this further.

Mr. MILLER. Mrs. Andrews, we do regrettably have an occasional employee in the Postal Service who simply transgresses and does not live up to his trust. The number of employees who we find stealing mail, in comparison with the total number of employees is almost infinitesimally small.



Certainly, any manner of mailing that identifies the item contained in the package as something attractive makes it more liable to attention by employees handling it, and might lead to increased theft.

As I understand this bill, there would be no such designation on the outside cover of the package. The only thing is, it would be addressed to a police department or a laboratory. I am not sure there would be other mail of this same type, so I do not know just to what extent the addressing of a package of this sort—I assume it would be a package; it might be an envelope containing a small amount of suspected drug.

I am not sure to what extent that would stand out as something of interest to postal employees who might be tempted to steal.

Mr. NIX. Are there any further questions?

Mr. DULSKI. Yes, Mr. Chairman.

Mr. Miller, you are from the criminal investigation division. I noticed that you were aware that my counsel brought some envelopes to me. When you talk about mailing firearms, you are talking about a big parcel and comparing it to an envelope such as these, you are trying to compare an elephant with a mouse.

Now, let me refer to the statement of Mr. Sanders. You know the Government has pilot programs for almost everything. We can't wait for pilot programs. The need is too great and to wait, I assure you, is to lose. Now, let's talk about the possibility of a postal regulation.

Did you read the warning on cigarette packs? You are mailing cigarettes through the mail. Let me quote present regulations—

The Postal Service may permit the transmission in the mails, under such rules and regulations as it shall prescribe as to preparation and packing, of any such articles which are not outwardly or of their own force dangerous or injurious to life, health, or property.

Let me tell you how the warning on a pack of cigarettes reads. Maybe with my bifocals, I can read it.

Warning: The Surgeon General has determined that cigarette smoking is dangerous to your health.

You are not stopping the mailing of cigarettes. I did not write your regulations. Cigarette smoking is dangerous—yet you permit them to be mailed. I cannot in good conscience wait for a postal regulation.

You are a distinguished gentleman. I am sure you would be the first one to contact the police for help in the event you were confronted with a drug problem at home.

The Buffalo Evening News had an article about the forgotten streets in the ghetto of our city. How would you like to see a girl forced to be a prostitute because of our system, who discovers a potential drug problem in her home and who wants to get her children away from drugs, walk up to the police station for help? Do you think she is going to be received as you are?

You know, we are living in ivory towers. These people need help. I for one am not going to deny it to them.

Mr. Sanders and Mr. Miller, this is a big problem and in the years to come it's going to be a lot worse unless we act now. I wish and hope that you and the Justice Department recognizes your responsibility and give consideration to this bill not for a month or 2 or 3 months, but give us immediately an answer of "Yes" or "No," as to whether or not you are going to act. Time is running out for our people.

Thank you, Mr. Chairman.



Mr. MILLER. May I comment?

Mr. NIX. Certainly.

Mr. MILLER. Mr. Dulski, I want to assure you that, speaking for the Postal Inspection Service, we have some idea of the extent of the problem, not so much as the BNDD people do, because they are more directly involved, but we know the manner in which this thing has proliferated.

For instance, in 1967 we arrested 68 people for unlawfully and knowingly using the mails in this traffic. In fiscal year 1971, just concluded June 30, 1971, during that year, we arrested 1,585 people.

In the space of 4 years, from 1967 to the present, our arrests have gone up from 68 to 1,585. We are not unaware of the spread of this problem.

Mr. DULSKI. Mr. Miller, I have the greatest admiration for your service because I know you are working very hard under very difficult circumstances. The increase in arrests is commendable, but it's not enough to solve the drug problem.

All I am asking is, do not put this in a little cubby hole and say, "Let us wait for the Justice Department." The problem is too great and the people need help now.

Mr. NIX. Thank you, Mr. Chairman.

On behalf of the entire subcommittee, I want to thank you, Mr. Sanders, and you, Mr. Miller, for your appearance here today.

I am particularly impressed with your attitude insofar as you have expressed a willingness to cooperate in this matter. I think that is the sense of your position, is it not?

Mr. SANDERS. Yes, sir.

Mr. NIX. I thank you very much.

Our next witness is Mr. John E. Ingersoll, Director, Bureau of Narcotics and Dangerous Drugs, U. S. Department of Justice.

Mr. Ingersoll, you may present your associates, if you please.

**STATEMENT OF JOHN E. INGERSOLL, DIRECTOR, BUREAU OF NARCOTICS AND DANGEROUS DRUGS, DEPARTMENT OF JUSTICE, ACCOMPANIED BY DONALD E. MILLER, CHIEF COUNSEL, AND JOHN W. GUNN, JR., CHIEF, LABORATORIES DIVISION**

Mr. INGERSOLL. Thank you, Mr. Chairman.

I have been asked to appear before you today to give our views on H.R. 12383, a bill designed to permit the mailing of suspected drugs to Government-operated laboratories under certain conditions.

The principal purpose of this legislation, as I understand it, is to provide a means whereby parents may anonymously identify suspected drugs which may be found in their children's possession. In this way, the parent might discover whether his or her child is involved in drug abuse so that appropriate corrective action may be taken. The motive is clearly a worthy one, although opinions may differ as to the manner in which the desired end can be best accomplished.

Let me state at the outset that we are sympathetic with the basic objectives of his legislation if it is found to be necessary to enable the establishment of services of this type so long as the receipt and analysis of suspected drugs is kept within the hands of competent Federal, State or local authorities.



At the same time, we can see limitations to such endeavors and a number of possible problems which might arise.

My intention in addressing you today is to elucidate these, as well as possible benefits, as objectively as possible for whatever guidance it may provide in your subcommittee's determinations.

First, let me consider the purely legal questions which arise.

H.R. 12383 purports to amend the postal laws in order to permit mailing of suspected drugs to appropriate Federal, State or local government agencies, notwithstanding existing provisions of the law. It is my understanding that current laws prohibit the mailing of "poisons" except under certain circumstances—18 U.S.C. 1716—and that postal regulations listed in section 124.2(f) of title 39 of the Code of Federal Regulations include "narcotic drugs" in this category.

Thus, the law already does not extend to many of the categories of drugs of abuse such as amphetamines, barbiturates, LSD and marihuana.

In any case, we do not feel that such a mailing would be regarded as an illegal distribution under section 308(a) of the Code of Federal Regulations.

We do not feel that section 3 of the bill, which amends section 308(a) of the Controlled Substances Act, is necessary to its purpose. In fact, we think it likely, as the postal authorities have indicated, that legal impediments to such programs could be removed by amendment of postal regulations.

Let me turn next to consider the more fundamental questions of policy which the bill poses.

Construed in its narrowest form, H.R. 12383 would merely provide an option for localities to create such programs if they wish to do so. One can readily accept the proposition that localities should be permitted this freedom of action if it expresses the desire of its citizens.

Construed in a broader sense, the bill encourages the establishment of such programs and recognizes their validity. As an expression of national policy, this is a matter open to question.

One of the features of the bill is its encouragement of an identification system which will permit the sender of the suspected drugs to retain complete anonymity while, nevertheless, receiving a report on the substance from police authorities.

This raises a number of difficult value judgments.

First, it would deprive police agencies receiving the drugs of any means of followup investigation regardless of what the laboratory findings might suggest. Thus, what could be potentially valuable leads to drug problems within the community would be lost.

Further, the program could be subjected to abuses by either drug traffickers or abusers to test the nature of their wares in Government laboratories. The likelihood of this occurring would be in some measure related to the kinds of responses that the laboratories supply those who submit exhibits.

A final consideration is that the anonymity provision tends to lend official recognition to the view that citizens in need of help are justified in mistrusting the police authorities which are supposed to serve them and their community. I question whether laws should be passed that unintentionally or intentionally encourage this point of view.



There are numerous examples of communities around the country in which the police have been called upon in situations of this sort and have aided parents in dealing with the problems of their children, short of making arrests and filing charges. The benefit is, of course, the opposite side of the coin; the recognition that many citizens, for various reasons of their own, would wish to retain their anonymity and would not avail themselves of laboratory services which did not insure it.

Since its establishment in April of 1969, our Bureau has created and now maintains a network of forensic drug laboratories which is unsurpassed within its sphere of expertise. In fiscal year 1971, it analyzed a total of 28,914 individual exhibits of drug evidence of which 70 percent were submitted to us from State and local police authorities. Our laboratories provide a service which is nonexistent in many communities. Each exhibit submitted by State or local authorities is subjected to 1½ hours of chemist/analytical time, employing the most advanced equipment available.

On the basis of this work, we have gained a perspective on the nature of drugs of abuse as they occur in the streets which is without any previous parallel.

For example, we find that in fiscal year 1971, 16 percent of all of the drug exhibits submitted to us turned out to be something other than the drug for which it had been sold. Five percent of the total were not even controlled drugs of any sort.

If we examine specific categories, we find that 23 percent of all of the alleged illicit heroin samples submitted in fiscal year 1971 turned out to be some other substance. This was usually either another contraband drug or one of the typical "cutting agents," such as quinine.

In other categories, the percentage of correct identifications ran considerably higher. Thus, 85 percent of the alleged cocaine exhibits were, in fact, cocaine; and of 2,600 alleged LSD exhibits, 2,266 were correctly identified.

For achieving the intended purpose of advising parents of a possible problem, it is necessary only that they be advised as to whether the suspected drug is, in fact, a controlled substance.

Even this very elementary finding can entail important interpretation problems.

For example, submission of lactose or quinine would elicit a negative response which might produce a false sense of confidence. These agents are frequently used to dilute heroin and have often been sold by themselves either for this purpose or as an alleged heroin compound.

On the other hand, submission of an exhibit of cough syrup, paregoric, tranquilizers, amphetamines, barbiturates, or codeinè, would all elicit affirmative responses which could equally mislead. All of these may be obtained legitimately, though a prescription is usually required.

In closing my statement, I would like to point to the greatest problem of a practical nature entailed in this bill.

It is the implicit assumption that the necessary laboratory facilities for undertaking such programs exist. Our experience is that they do not. As I stated earlier, our entire laboratory system analyzed a total of 28,914 exhibits in fiscal year 1972, which represents an an-



annual expenditure of approximately \$1,250,000, including salaries, equipment, and other costs.

We could undoubtedly have performed more analysis if we had been content with merely establishing the identity of a suspected compound. But even so the cost would be extremely high when viewed from the standpoint of the potential number of people involved nationally.

The demand of State and local police agencies for our own laboratory services continues to sharply escalate. The number of exhibits which they submitted increased from 12,341 in fiscal year 1970 to 20,025 in fiscal year 1971. Although drug laboratory facilities have also increased on the State and local level, it is still the impression of our experts that they are vastly overburdened by existing police work. It is estimated that 75 percent of all police laboratory time is currently spent in analyzing drug exhibits.

Few social phenomena in contemporary experience have caused greater anxiety to the American public than the incredible rise in drug abuse. All avenues which may help deal with it are worth exploring, including that which is implicit within H.R. 12383.

In view of the practical and philosophical problems involved in implementing a large-scale program of the kind which might be envisioned, I have difficulty in recommending it.

My colleagues and I stand ready to answer any questions you may have.

Mr. Nix. Thank you, Mr. Ingersoll.

I was impressed with your statement in its totality, but I am particularly impressed with the last paragraph of your statement:

"Few social phenomena in contemporary experience have caused greater anxiety to the American public than the incredible rise in drug abuse." That we all agree to. That is a fact, is it not?

Mr. INGERSOLL. Yes, sir.

Mr. Nix. "All avenues which may help deal with it are worth exploring, including that which is implicit within H.R. 12383."

That is a statement with which I completely agree.

The last sentence says: "In view of the practical and philosophical problems involved in implementing a large-scale program of the kind which might be envisioned, I have difficulty in recommending it."

Will you address yourself to those problems that might be envisioned?

Mr. INGERSOLL. I think my statement contains in very general form some of the problems which are stated, beginning on page 3; that is, the inability to follow up on evidence which is submitted anonymously; the fact that this might encourage traffickers or abusers to, in effect, use the Government as a quality control testing facility for the substances that come into their possession.

Also, there is the fact that it implicitly lends support to what I regard as too common a view, that the police cannot be trusted in dealing with problems of this type in an equitable, judicious, and discreet manner.

I think the police around the country have demonstrated that the opposite conclusion should be arrived at.

Then, on the practical side, the mere cost in developing laboratories for this purpose around the country, I think, is a very important factor that should be taken into consideration. I think it would be helpful



to the committee if I indicated what kind of analysis really would be necessary to provide useful information.

It is not merely a question of reporting back to a parent whether or not a substance is a controlled substance or a dangerous drug.

I think the parent would be entitled to know under these conditions the identity of the drug, the impurity of the drug, the quantity, whether or not other poisonous or harmful substances are included within it.

This of course would take a considerable amount of quantitative as well as qualitative examination and analysis by the laboratory. Not all laboratories have the equipment to do this in an expeditious and efficacious manner.

I have indicated to you what our annual costs are to operate six laboratories around the country, and the fact that to do this kind of thorough analysis requires on the average an hour and a half of the chemist's time.

The range, of course, would be considerable. It can get into several hours of examination involving the use of the most sophisticated kinds of analytical equipment. I think in just addressing the subject of purity, for example, you will find that heroin exhibits, which are analyzed, will range from zero to 100-percent pure, and the purities at street level will differ widely, according to time and place.

A single identified source of illicit LSD was found to produce tablets ranging from a content of 5 to 248 micrograms of the drug.

Another clandestine source of amphetamines was producing tablets with a range of 6 $\frac{1}{10}$  to 14 $\frac{1}{10}$  milligrams, supposedly in an attempt to make a standard 10-milligram dosage, which is similar to that produced by legitimate manufacturers.

Lack of quality control naturally accompanies an illicit enterprise and results in great potency variability.

Another factor which determines the effect of the illicit drug on its consumer is the size of dose.

Very often, two heroin preparations which may be of equal purity will differ markedly in the number of milligrams of the drug that is presented.

Then, of course, there are other variables, such as the presence of poisons. One possibly important matter may be the presence of virulent microorganisms, and even our laboratories are not presently equipped to make such detections with the exception of obvious cases. So this is a combination of the philosophical and practical problems that we see.

Mr. NIX. Mr. Ingersoll, starting out with your stated position, "all avenues which may help deal with it are worth exploring, including that which is implicit within H.R. 12383," having made that statement, then you follow that by saying, "the cost would be staggering."

You say the cost of establishing the laboratories to perform these services would be staggering. Then you spoke of the efficiency of the people making the analyses.

I would assume that you are talking about the cost of securing the services of competent people to do that entailing extraordinary costs.

So therefore I take it that while you take the position that this should be explored, that it is needed, yet the costs would be a deterrent to moving forward in this field. Is that your position?



Mr. INGERSOLL. I think, Mr. Chairman, my question here is whether or not this should become a matter of national policy or whether it should be a matter determined by local communities in keeping with their ability to provide the service.

Mr. NIX. As to that point, is it not the function of the Congress of the United States to decide whether or not it is to be a national policy?

Mr. INGERSOLL. That is quite correct, sir. I am in no way intending to usurp that function. I am merely trying to give you the pros and cons, as I see them, in this bill.

I think in underwriting this, the committee should consider whether the law is necessary in view of some of the legal considerations I mentioned.

Mr. NIX. Having an agreement on the fact that it is desirable to have action in this field, having reached an accommodation on the thought that the costs would be great, and sufficient people would be required to administer the program, having done all that, I go to the legality of the proposed legislation.

Are you of the opinion that the legislation that we are considering is not legally constructed in a manner that would make it acceptable?

Mr. INGERSOLL. No, Mr. Chairman; I think there are two considerations.

One is the need in view of existing law. The second is that the bill, as I interpret it, merely requires an affirmative or negative response to a question that is asked; namely, Is this a dangerous drug.

All the proposed legislation proposes is a "Yes" or "No" answer to that. It stops at that point.

Therefore, I mentioned other considerations, that other information should be available through such legislation.

Mr. NIX. Taking that, and standing it alone, that the only question to be answered is whether or not it is or is not a dangerous drug, let us assume that we change the verbiage of the legislation on that particular point and make it agreeable to your thinking.

Would you then change your opinion as to the totality of the legislation?

Mr. INGERSOLL. I think the Congress still has to take into consideration the costs that are involved as outlined, and whether or not the Congress is willing to appropriate funds for that purpose if there is going to be a program operated by the Federal Government.

In my judgment—and I must say, this is based on incomplete experience, because there are laboratories of this type available in some communities, most of which have proved satisfactory to the communities involved—however, again I wonder if we are not dealing with a local problem.

There is a question in my mind as to whether this is an appropriate area for the Federal Government to enter.

Mr. NIX. Mr. Ingersoll, of course, as to the legality of whether or not this is an appropriate area for the Federal Government to intrude itself, it is a question of judgment on the part of the Members of the Congress of the United States; and, of course, any citizen or any agency, or the representative of any agency, has a right to form a judgment contrary to that expressed by the preponderance of the Congress.



But there is a vital need. I do not think anyone can deny it. Action taken as of this moment has been most woefully inadequate. No one can deny that.

The danger is escalating. No one can deny that. It would therefore be reasonable to assume that action of some kind—it should be constructive, of course—must be taken in this field.

With that, I suppose you would agree, would you not?

Mr. INGERSOLL. I not only agree, Mr. Chairman; I agree it is within the prerogative of Congress to make final decisions and judgments of this kind.

I must respectfully disagree in part from the assumption that no action or inadequate action has already been taken against this problem by the Federal Government.

I think that the executive branch and Congress together have taken unprecedented action in the last 2 or 3 years. It is true that during the 10 years or so before that, when the drug problem was really growing by leaps and bounds, from almost a base of zero to the situation that we have today, there was a lack of effective action.

Just recently, the Congress unanimously, in both Houses, unanimously approved the President's legislation that created the Special Action Office on Drug Abuse Prevention.

Previous to that, it approved, with few dissenting votes in either House, the Controlled Substances Act of 1970.

In between, Congress has appropriated increasing amounts of money, virtually many times the amount that was available in fiscal 1968 to cope with this problem.

Mr. NIX. When you say "unprecedented action" in recent years, of course, the measure of the action taken is against the long years of inaction in view of the problem, in view of the necessity demanding the necessity for action over years before we started to do something.

I do not think it could be called impressive.

I would like to ask you to submit to this subcommittee your legal analysis of whatever is wrong in your opinion with the legislation that is being proposed, and your suggestions as to how the legislation could be corrected or reformed in order for it to warrant your acceptability. Would that be asking too much?

Mr. INGERSOLL. I would be very happy to do that, Mr. Chairman.

Mr. NIX. I would deeply appreciate it.

I believe I express the feeling of the chairman of the full committee—we are both deeply interested in this field. We are convinced that action should be taken. We are convinced that it could serve a very useful purpose.

I am thinking about the great number of people of low income. I am thinking about the great number of people who have failed to exercise the parental control of their youngsters, which might be in some cases because of lack of the kind of concern that they should have.

Whatever the reason is, I would like to see furnished to them an additional avenue of determining whether or not their children are using drugs.

Let me go on, since I have a few minutes, and indulge myself a moment.



I have attended the hearings, and I have heard many times that we pass legislation to the effect that we are giving subsidies to the poppy farmers of Turkey so that they do not plant crops to the extent they need them. Then shortly thereafter, other countries, with the same climatic conditions, were growing the same thing.

I started to wonder whether or not we were going to subsidize every country capable of growing poppies from which the drug comes. I thought it was utterly stupid.

Then my thoughts led me further to this plane of thinking. I read extensively on the drug consumptions in those countries where the basic drug is available to everyone, and I find that they have no drug problem.

That led me to inquire of myself as to whether or not the moral character of the people in those countries could possibly be superior to the people of our own country. The answer is obviously no.

Then the question arises: Why is it that we have this escalating drug problem, and they do not have it?

Being of the generation of which I am a part, I must come to the conclusion that in the home, in the relationship between children and parents, there is something lacking now that was not lacking in other generations in our country, and that is the reason why I mentioned parental control and parental consideration.

Whatever the reason is, one thing I know. We must deal with the problem in every way that we can, as quickly as we can.

I just want to give you something. I wanted to say that in order that you could have some basis for believing the fact that I am deeply interested in what I feel is a pressing need for some action in this field.

I want to thank you, Mr. Ingersoll and Mr. Miller and Mr. Gunn, for having come here and given us the benefit of your thoughts. I particularly thank you for consenting to present the statement to the committee.

MR. INGERSOLL. Thank you, Mr. Chairman.

MR. NIX. The subcommittee will stand in recess, subject to the call of the Chair.

(Whereupon, at 12 noon, the subcommittee was recessed, to reconvene subject to the call of the Chair.)



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## APPENDIX

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(The letters which follow were received for inclusion in the record. Some are in direct response to questions which were asked of witnesses who participated in the hearings.)

BUFFALO TESTING LABORATORIES, INC.,  
Buffalo, N.Y., May 8, 1972.

Re H.R. 12383.

Mr. TOM KENNEDY,

*Subcommittee on Postal Facilities and Mail, Committee on Post Office and Civil Service, Rayburn House Office Building, Washington, D.C.*

DEAR MR. KENNEDY: Pursuant to our telephone conversation of May 8th, 1972, I am officially requesting you to place on record that I am interested in inserting in the above mentioned bill the following wording:

As stated on page 1:

#### A BILL

"To amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to Government officials for analysis, and for other purposes."

I wish to have the following inserted to read:

#### A BILL

"To amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs of Government officials or Federally or State Registered 'narcotics and dangerous drugs independent testing laboratories', for analysis, and for other purposes."

On Page 2 of H.R. 12383 line one (1) which now reads: "or local government, whose official duties are comprised, in whole or part the prevention of drug abuse, in order,"

I wish to have the following inserted to read: "or local government, or a Federally or State Registered narcotics and dangerous drugs independent testing laboratory, whose official duties are comprised in, whole or part the prevention of drug abuse, in order,"

There are many independent testing laboratories located in the United States, who like us, have been testing narcotics for 20 or 30 years and I feel they should enjoy the same benefits of this proposed bill as a federal or local government laboratory. In the past, there were many times when we received narcotics by mail in which case the sender was unaware of the laws and this bill would greatly help all individuals.

To reiterate my point, I would like to have bill H.R. 12383 introduced by Mr. Dulski to provide an exception to the mailability statute in permitting the mailing of narcotics to law enforcement agencies, as well as all federal and/or state registered narcotics and dangerous drugs independent testing laboratories for analysis and report to citizens who wish to remain anonymous.

Since the cost of these analysis is to be taken care of by the requester, and is not a part of this bill or by Federal or State Government, I suggest that special consideration be given to the costs at a later date.

Very truly yours,

EDWARD J. KRIS,  
Technical Director.



NATIONAL SHERIFFS' ASSOCIATION,  
Washington, D.C., May 2, 1972.

HON. ROBERT N. C. NIX.

*Chairman, Subcommittee on Postal Facilities and Mail, Committee on Post Office and Civil Service, Washington, D.C.*

DEAR MR. NIX: It is with pleasure that I respond to your letter of May 1, 1972, concerning H.R. 12383.

It is obvious to me and to those of us in law enforcement and investigative work that before a problem can be solved, or even attacked, it must be identified and categorized. It is not enough to state generically that narcotics and dangerous drugs are a menace. It is necessary that they be properly identified if we are to make any significant steps toward eradicating their misuse. Your bill can aid in doing this.

I and we therefore, after due and careful consideration of your bill, H.R. 12383, strong and unequivocally endorse its provisions and urge its adoption, feeling that the measures called for therein can aid materially in the identification of dangerous substances in a way heretofore not possible.

I and we can see no objectionable features connected with the bill and can prognosticate that only good will come therefrom. My best wishes go with its proponents.

Cordially,

FERRIS E. LUCAS,  
*Executive Director.*

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INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC.,  
Gaithersburg, Md., May 9, 1972.

HON. ROBERT N. C. NIX,  
*U.S. House of Representatives,  
Rayburn House Office Building,  
Washington, D.C.*

DEAR CONGRESSMAN NIX: Thank you for your letter of May 1, 1972, and your invitation to the International Association of Chiefs of Police (IACP) to submit testimony on H.R. 12383 introduced by Congressman Dulski.

Our examination of the bill leads us to the conclusion that it should not be endorsed by the Association. There are believed to be adequate ways by which parents can arrange for suspected drugs to be examined by police laboratories other than by anonymously sending packages through the mail.

In cases where illegal drugs are identified by police laboratories, there must be some effort made by the police to ascertain the source. The police cannot be a party to an activity which would preclude their investigating violations of the law.

Even if no efforts were made to trace certain shipments, there is a likelihood that an arrest might be coincidentally made and that those arrested would conclude the police had violated the exercise of their rights under the law.

For these and other reasons, the IACP will not testify or submit a written statement regarding H.R. 12383.

Sincerely yours,

QUINN TAMM,  
*Executive Director.*

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OFFICE OF THE DISTRICT ATTORNEY,  
ERIE COUNTY HALL,  
Buffalo, N.Y., May 26, 1972.

HON. THADDEUS J. DULSKI,  
*Chairman, Subcommittee on Investigations of the Committee on Post Office and Civil Service, Cannon House Office Building, Washington, D.C.*

DEAR THADD: This will acknowledge receipt of your letter of May 18th, together with the interrogatories conceived by Congressman Rousselot. I will deal with each question separately insofar as they relate to the District Attorney's office.

(The questions submitted follow:)



## QUESTIONS

(1) It has been suggested that law enforcement agencies or other Governmental bodies would be interested in providing counsel and information to concerned persons who suspect a foreign substance of being a drug. Is your office equipped to analyze such substances?

(2) If this is true, can you estimate for the record what your cost might be?

(3) Exactly what information about the foreign substances are you able to gather from an analysis?

(4) And in reporting to the anonymous sender, what information do you anticipate you would provide? (Drug, quality, origin(?)—the reason for the question is that if this bill were enacted into law, I can foresee the possibility of "distributors or other potential users of drugs" using this new analysis service to determine the quality of what they expect to buy).

(5) At the present time, just how are parents coping with this problem of suspected drugs?

(6) If this bill were enacted, what means do you think would be used to inform parents and other concerned people of this new service?

(7) Also, if this bill were enacted, what steps could parents, or others, take to resolve this problem once they were informed that such a substance was considered a drug?

(8) As you probably know, last year President Nixon established the Special Action Office for Drug Abuse Prevention by Executive Order. In making this announcement he called drug abuse America's "public enemy number one."

(9) I am wondering that if such a bill were enacted into law, as introduced by Chairman Dulski, whether or not agencies to which "suspected drugs" are sent, could not inform the anonymous sender of a local drug rehabilitation center when he identifies the drug substance?

(10) In 1971, the U.S. Postal Service reports 1000 convictions because of the carriage of narcotics and dangerous drugs through the mails; and 1360 convictions of postal employees because of theft of the mails. As a law enforcement officer, do you think it is likely that these figures will increase, upon passage of this bill?

(11) By affixing a "sign" or printing a six digit number on the outside of an envelope, aren't we in effect advertising the contents of the envelope, and therefore inviting theft?

(The response to the questions follow :)

*Response to question No. 1*

Our office is not equipped to analyze drugs. We work closely with the Buffalo Police, the State Police and the Sheriff's office and use their facilities when substances are brought to our office for analysis.

*Response to question No. 2*

There is no cost to this office.

*Response to question No. 3*

This question is better answered by the chemists of the labs above mentioned.

*Response to question No. 4*

I see no merit to the concern about pushers or users using a drug analysis program to determine the quality of drugs. Clearly, the only report which should be made by any agency to an anonymous sender should be that a substance is or is not heroin, cocaine or marihuana, etc.

*Response to question No. 5*

I think that Administrators of the programs for anonymous drug analysis would verify that parents or close relatives are extensively using their analysis facilities and I think that with Congressman Dulski's bill and full public dissemination of the availability of such free analysis, more and more parents will take advantage of the opportunity.

*Response to question No. 6*

There should be full newspaper, TV and radio dissemination of the availability of the program. This should be followed up by periodic news releases and the use of the Public Service programming of facilities on radio and TV. With some



measure of regularity these Public Service facilities should be utilized to constantly remind the public of the programs' availability.

*Response to question No. 7*

Though I think parents could exercise their parental authority and influence and their knowledge which comes from experience, in attempting to educate their children of the evils of drug use and drug abuse, I think also the problem may well be medical and the parents will be in a position to use the talents of their physician, psychiatrist, etc.

*Response to question No. 8*

My experience leads me to conclude that the New York State Drug Rehabilitation Centers are a total and dismal failure and that such centers might well be a source for narcotics.

In view of my opinion in this regard I would seriously question the value of anyone informing the parent of the availability of a New York State Drug Rehabilitation Center, and my testimony in the main at the Buffalo hearing would more fully express my attitude in this regard.

*Response to question No. 9*

I think it is clear that thefts of narcotics and other things from the mails will increase after the passage of this Bill. I see no legitimate argument against the Bill because of that fact. The increase will be prompted by a number of facts and as I testified at the Buffalo hearing, the only time that young people can be saved from the evils of drug addiction is before they become addicted.

This program can aid in saving young people from addiction and the fact that some narcotics sent through the mails might well be stolen, would not justify the defeat of the Bill.

*Response to question No. 10*

Yes; but are there not ways to cross-check and double-check? Cannot the leaders of the Postal Department conceive a way to have a supervisory register of all such mailings in order to minimize the possibility of theft? Are the mails not used for the movement of many valuable items and do we stop using the mails because of the possibility of thefts?

I don't profess to have the answers to these questions but it occurs to me that a program otherwise worthwhile and sufficiently safeguarded to the best of our ability, should not be cast aside solely because there are thieves amongst us.

*Response to question No. 11*

I do not have figures on narcotics used among elementary and secondary grade school youngsters but experience tells me that it is on the increase and should be a cause for grave community concern.

I hope I have been of some help and assistance to you, Thad, and I want you to know it is always a pleasure to be associated with you in any public or private endeavor.

Sincerely,

MICHAEL F. DILLON,  
*District Attorney.*

COUNTY OF LOS ANGELES HEALTH DEPARTMENT,  
*Los Angeles, Calif., April 12, 1972.*

Congressman CHARLES WILSON,  
*Investigations Subcommittee, House Post Office and Civil Service Committee,  
Cannon House Office Building, Washington, D.C.*

DEAR SIR: I submit the following comments in regard to H.R. 12383 (Dulski) which would permit a person to send substances which he suspects are drugs to government officials for analysis.

The bill is vague in its intent. It is not clear whether its prime intention is to save drug users lives or to help people turn their friends or family in to the police. It is also too vague in not specifying that a complete content and/or purity report is authorized. It states only "whether such substance is in fact a drug."

However, legislation such as this is necessary in order to be able to have a street drug analysis program. With this goal in mind such legislation is supported, but the details of the bill need to be worked out more specifically.

Very truly yours,

G. A. HEIDBREDER,  
*Health Officer.*



CITY OF INGLEWOOD, CALIFORNIA.  
Inglewood, Calif., June 16, 1972.

HON. THADDEUS J. DULSKI,  
*House of Representatives,  
Committee on Post Office and Civil Service,  
Washington, D.C.*

DEAR CONGRESSMAN DULSKI: In response to your inquiry dated May 30, 1972, I am documenting details of the Drug Education Program provided by the Inglewood Police Department. As to its effectiveness, there are many variables to consider, and I can state that there has been a marked decrease in drug arrests of juveniles. Some credit must go to our education program. The program is as follows:

The Community Relations Section of the Inglewood Police Department is staffed with a police sergeant and five police agents who have been trained in drug abuse. This is not their sole function, and there are other personnel in the section. The trained officers devote a scheduled percentage of their time in the schools of the City of Inglewood in a classroom setting. A record is maintained by the section commander so that we may be assured that each student of the Inglewood school system becomes exposed to the Drug Education Programs.

For the school year 1971-1972, which ended June 15, 1972, a total of 362 lecture hours were conducted at the schools. Sixty-four of these hours were devoted entirely to drug abuse lectures, including a narcotic and dangerous drug display and various movies dealing with the subject.

These same police agents are available, on request, to speak at service club meetings, and they present the same type of presentation to those adult audiences. They have conducted 16 hours of such programs.

I hope this answers your question satisfactorily.

Very truly yours,

JAY R. STROTH, *Chief of Police.*  
By J. O. MCGREGOR,  
*Captain, Investigation Division.*

COUNTY OF LOS ANGELES.  
OFFICE OF THE SHERIFF,  
Los Angeles, Calif., June 14, 1972.

HON. THADDEUS J. DULSKI,  
*U.S. House of Representatives, Committee on Post Office and Civil Service, Wash-  
ington, D.C.*

DEAR CONGRESSMAN DULSKI: Members of this Department, when presenting testimony during the hearings in Los Angeles on H.R. 12383 on April 14, 1972, were requested by the Honorable John H. Rousselot to report by letter to you the plans and programs that the Los Angeles County Sheriff's Department employs to assist parents in the fight against narcotics.

Our Department directs its efforts in this area towards a three-fold approach to the subject; public education, information and participation.

During the first five months of 1972, members of the Narcotic Bureau have presented 206 lectures to 5,387 citizens. These lectures were made to various groups and organizations, and the subject matter covered all aspects of narcotic and drug abuse. The audience included many civic and community groups and many elementary and secondary school children. In addition to the lectures, the Narcotic Bureau has maintained an active participation and liaison with numerous public and private programs involved in drug prevention, education and rehabilitation.

The Los Angeles County Sheriff's Department has initiated, or been instrumental in, the publication of several pamphlets and other narcotic and dangerous drug informational resources for the purpose of providing insight to parents, youth, and the general community regarding narcotics.

Probably one of the most outstanding Departmental efforts is the "Student and the Law Program". This program requires utilization of a Deputy Sheriff possessing a teaching credential, who presents a course of instruction in secondary



schools, dealing with the role of law enforcement in contemporary society. A great part of this instruction period includes information on narcotics and dangerous drugs, and other drug abuse concerns. This program has been so successful that we are almost unable to supply the schools Deputy Sheriff-Instructors to the extent that they would have this program in their curriculum. The "Student and the Law Program" was a recipient of the Valley Forge Freedom Foundation Award in 1968.

The Los Angeles County Sheriff's Department is well known for its effort in engendering within the communities it serves, a feeling that a citizen can approach any Deputy Sheriff information concerning narcotics without fear of arrest, reprisal, disclosure, or the imposition of sanctions.

I wish to thank you for your generous remarks concerning the appearance of members of this Department, for the testimony they gave during the hearings on your Bill in Los Angeles on April 14, 1972.

Sincerely,

PETER J. PITCHESS, *Sheriff.*  
JAMES F. DOWNEY, *Acting Sheriff.*

BRIDGE BACK, *Los Angeles, Calif., April 28, 1972.*

VINCENT GAUGHAN, Esq.,  
*Post Office and Civil Service Committee,*  
*Washington, D.C.*

DEAR MR. GAUGHAN: Pursuant to the request from Honorable John H. Roussetot and Charles H. Wilson, M.C., enclosed please find a copy of a combination of Bridge Back History, Scope of Service, Statistical Summary and Model Cities/Bridge Back ninety day evaluation.

I hope that this package will give you a more comprehensive picture of our program and what we are trying to accomplish.

Thank you for your interest and support, and that of your colleagues.

Sincerely,

ROY EVANS,  
*Executive Director.*

(Enclosure.)

#### HISTORY

We started as a small group of ex-users trying to establish a Narcotics Symposium in South Central Los Angeles. We met once a week in the conference room of the State Service Center and the Multi-Purpose Health Center in Watts where we held group sessions and made plans to find a center of our own. We were later allowed to use a small building on Central Avenue, rent free, provided we improved the premises. After cleaning, painting, and getting furniture (without funds), we opened in April of 1968. At that time, five persons took the primary leadership responsibilities. Our members identified themselves as ex-users, non-users, users, and those closely related to users.

After three years of operating on contributions from the community and other sources, Bridge Back was funded by the Los Angeles Model Cities Program. Although the bulk of our membership is self-referred, we do receive direct referrals from Probation, Parole, and the Los Angeles County General Hospital. We are presently providing services *EXCLUSIVELY* to Model Neighborhood residents. The Model Neighborhood boundaries are: Slauson on the North; 120th Street on the South; Alameda on the East; and Figueroa on the West.

#### GOALS AND OBJECTIVES

A. To reach people who are dependent on drugs and who have lost contact with self, family, and the community-in short, who feel alone.

B. To determine from the actual experience of the members and any other appropriate source the best methods of living a drug-free existence and developing successful life styles.

C. To provide a setting and the tools to develop new life styles that are self-gratifying as well as socially acceptable.



## HIGHLIGHTS AND ACHIEVEMENTS OF BRIDGE BACK

Once based in the South Central Los Angeles area and now in the Watts Model Neighborhood area, Bridge Back was established in April of 1968, to help drug-dependent persons, ex-convicts, and the hard-core unemployed.

1. Bridge Back provided the South Central Los Angeles area with its first community based drug rehabilitation and prevention demonstration.

2. More than 100 individuals, youth as well as adults, have been assisted in finding treatment for drug withdrawal, information and education on drug abuse, job placement, and new life styles.

3. Bridge Back representatives have taken part in numerous local and state-wide conferences.

4. In 1970 Bridge Back was awarded the Los Angeles City Council Resolution for a non-profit community organization which accomplishes its goals.

5. Bridge Back representatives have taken part in over 100 community level meetings in addition to radio and television programs on drug abuse.

6. Bridge Back assisted the Los Angeles Teen Post Inc. and the South Central Welfare Planning Council in providing summer camp retreats with drug addiction workshops for over 250 youths.

7. Bridge Back assisted the Narcotics information Section of the Los Angeles County Department of Community Services in providing first hand drug information in a number of local high school.

8. In 1969 Bridge Back received a \$2,500 grant from Brotherhood Crusade, Inc. to cover rent and utilities for one year.

9. Bridge Back has received direct referrals from Probation, Parole, and Los Angeles County General Hospital.

10. Thanks to the Model Neighborhood residents and their confidence in our program, we are now funded by the Los Angeles City Demonstration Agency (Model Cities Program).

## SCOPE OF SERVICES

*Hotline*

Bridge Back Hotline is a 24-hour telephone listening service which allows a person will work a 3-hour shift weekly after the initial training is completed and continue training on a monthly basis in a workshop setting.

*Outreach*

Provides information about Bridge Back to the community and those agencies interested in the center. This service provides:

- (a) intensive recruitment of adolescents and adults who are addicted to narcotics;
- (b) speakers for youth groups;
- (c) works with the staff of other agencies involved in the prevention and treatment of drug users; and,
- (d) explores resources available in the city that would be beneficial to drug users.

*In-Take Procedure*

A member of the Development Staff helps the applicant fill out the necessary forms and set up an appointment, through the Development Coordinator, with the Interview Committee. The committee, composed of three persons, attempts to find out the applicant's background, interests and objectives, and makes recommendations for the types of services (s) best suited to his needs. These recommendations are reviewed and the final decision is made by the Head Counselor. The member is then notified of his acceptance into either the Detoxification Program, the Residential Live-In Program, or the Development Center Program.

*Detoxification Program*

All drug dependent persons must participate in this program. There are two types of detoxification:

- (1) *In-Patient*.—We currently have a five (5) bed ward in a community hospital which is used for withdrawal purposes only. On the date of admittance, the member is transported by Bridge Back to the detoxification facility where he remains for a maximum of ten (10) days. When discharged, the member



returns to the center to continue his rehabilitation through the Development Center for nine months.

(2) *Out-Patients*.—This detoxification program permits the member to live at home and go daily to a local clinic for fifteen consecutive days for medication. He is also required to participate in all Development Center activities for nine months.

#### *Residential Live-In*

The live-in program provides each member the opportunity to experience the problems of living, learning and growing in a drug-free environment. Desirable behavior is encouraged through approval or censure by the live-in members. The facility also provides the members with housing, job opportunities, job training program, recreational and cultural activities, daily group sessions, and all other development center activities. Housing is provided for 90 days during which the member goes through the following stages:

*Stage One*.—During the first ten (10) days the resident is restricted to the Bridge Back Center and assigned work responsibilities. In the following twenty (20) days, he is allowed to participate in certain selected activities. At the end of this period he is given a thirty (30) day evaluation to determine whether he is ready to proceed to Stage Two, based on his past adjustment and growth.

*Stage Two*.—The resident begins to seek employment or involve himself in a training program. He then moves to the Annex Apartments where he begins to experience the community life style. There is a 60-day evaluation to determine his progress and whether he should proceed to Stage Three.

*Stage Three*.—He continues to work and lives at the Annex for the next thirty (30) days. However it is during this period that the resident completes all preparations necessary for his move back into the community, such as housing and financial resources. He is given a 90-day evaluation to assess the member's readiness to assume community responsibilities. The member will then continue his involvement in Bridge Back through the Development Center, for a minimum of six months.

#### DEVELOPMENT CENTER

The Development Center requires that members participate three (3) nights per week in group discussions. The Center also offers other activities, such as recreation, entertainment, vocational counseling, educational counseling, and cultural programs. Activities will depend on the acknowledged needs of the various groups in the Center and also on the Center's ability to attract volunteer teachers and those desiring to contribute to the development of programs within the Center.

#### BRIDGE BACK PHILOSOPHY

We accept our humanness and our basic sense of identity, distinguishing the real from the unreal.

We accept the idea that there is much about ourselves that we do not understand.

We believe that we can learn from those with whom we identify and who have acquired the emotional resources that allow them to respond constructively to the everyday pressures of life.

With the cooperation of the group, we make searching and fearless examinations of our basic beliefs, attitudes, and habits.

We accept the fact that to hide our mistakes, errors and wrongdoing is self-defeating and the result of ignorance, but to accept them is the only means of correcting and strengthening our character.

We are determined to accept the truth about ourselves and other, regardless of hurt feelings, recognizing that the truth can set us free only if we acknowledge it.

Regardless of the fact that our behavior may be the result of what we learned during our formative years, we relinquish our desire to blame, punish, get even, or viciously retaliate for mistakes, errors, or wrongs.

We accept our assets and our liabilities, improving them whenever and wherever possible, to the best of our ability.

Realizing that we help ourselves through helping others, we resolve to devote ourselves to the practice of these principles without the usual demand for personal prestige or material gain.



## FOUNDER

Mr. Roy Evans is the founder of Bridge Back. He started working for the County of Los Angeles, Department of Community Services in the capacity of CEP Trainee. In 1969, he was promoted to Community Workers and was responsible for establishing the first district office of Narcotics Information Service where he supervised and trained its first staff of Community Workers. He moved from Community Worker to Counselor and was later promoted to Community Services Coordinator I.

Mr. Evans has completed the following advanced studies: attending the University of California at Los Angeles-In-Service Sociology, Counseling on Alcoholism and Related Disorders; Encounter Group Theories and Techniques; and Creative Agression; attending the University of Southern California School of Public Administration-Program on Social Conflict and Change; and Change and Program for Training of Trainers.

Until 1967, Mr. Evans lived 17 years of his life as a drug-dependent person involved in various criminal activities which led to 87 arrests. Finding it necessary to examine his basic beliefs in order to acquire whatever degree of freedom he enjoys today, he deferred himself to live-in training at Synanon Foundation, Narcotics Anonymous, Teen Challenger Center and Narcotics Symposium. The Bridge Back program and philosophy came about as a part of the continued growth process of the founder and his need to help others with similar backgrounds.

Some of Mr. Evans' memberships include the Los Angeles City Mayor's Adult Committee on Youth and the Regional Training Team, California Drug Education Training Program, 1970-71. Since January 1968, he has fulfilled over 200 requests from public agencies to serve as a resource person and from January 1968 to September 1970, he has had over 150 speaking engagements for community groups and organizations. He has participated in 11 radio programs and 10 television programs and just recently participated in the film "Up Front" in the capacities of technical advisor, recruiter of participants, moderator, and narrator. This film was produced by the Motion Picture Unit of Los Angeles County C.A.O.'s office.

## BRIDGE BACK, INC.

## CONTRACTUAL SCOPE OF SERVICES

Section 1.0 *Scope of Services*.—The Contractor shall establish services for youth and young adults using narcotics and drugs. The services will consist of preventive and intensive post-counseling, temporary housing, 24-hour 'Hot Line' crisis intervention, detoxification, medical back-up services and vocational and educational counseling.

The Contractor Shall:

(a) Direct the project toward achieving the Model Cities objectives to reduce the rate of narcotics offenses and thus enhance the opportunities for former narcotic addicts to continue a drug-free existence.

(b) Further these objectives by performing the functions listed below and defined in the indicated section:

|                                | <i>Section</i> |
|--------------------------------|----------------|
| Live-in program -----          | 1.1            |
| Drop-in program -----          | 1.2            |
| Hot line -----                 | 1.3            |
| Out reach -----                | 1.4            |
| Management -----               | 1.5            |
| Staff training -----           | 1.6            |
| Citizen participation -----    | 1.7            |
| Facilities and equipment ----- | 1.8            |
| Evaluation -----               | 1.9            |
| Supportive services -----      | 1.10           |

(c) Complete major tasks and deliveries in accordance with the Major Milestone Schedule, which is hereby incorporated and attached hereto as Exhibit II.

(d) The budget for this contract is justified in Budget Justifications which is hereby incorporated and attached hereto as Exhibit III.



The contract shall be performed in accordance with Exhibits II and III for amounts in total and by cost category, however, funds may be reallocated amongst cost categories subject to the requirements of Section 3.

- (e) Prepare a Resident Employment and Training Plan in accordance with:
1. Resident Employment and Training Requirements; and
  2. Resident Employment and Training Plan Target. These targets are the minimum acceptable to the CDA and every attempt must be made to exceed these targets.

Section 1.1 *Live-in Program*.—The Contractor shall provide live-in services for a minimum of 12 young adults 18-35 for a period not to exceed 90 days. Contractor to submit Live-In Eligibility 30 days after contract start date.

The Contractor shall:

(a) Establish a half-way house for a minimum of 12 residents in or near the Greater Watts Model Neighborhood.

(b) Provide services to include but not to be limited to individual and group counseling, detoxification and medical back-up services, vocational and educational counseling and board.

(c) Refer all youth 18-20 to the adolescent clinic for physical evaluation and treatment and refer all adults 21-35 to the Family Ambulatory Care Clinic for physical evaluation and treatment.

(d) Provide counseling services to recipient and his family to include but not be limited to individual and group counseling (techniques attached, Exhibit V), and referral to Kedren Community Mental Health Center for more intensified psychological counseling and treatment.

(e) Subcontract with a local hospital for detoxification services for a minimum of 5 beds. Contractor to submit subcontract 30 days after contract start date.

(f) Provide vocational and education counseling to recipient and family. The Contractor shall refer residents who become job ready to job training programs and Human Resources Development.

(g) Provide transportation for clients needing the service.

Section 1.2 *Drop-In Program*.—The Contractor shall establish a center in or near the Greater Watts Model Neighborhood.

The Contractor Shall:

(a) Provide a drop-in center for individuals between the ages of 16-35 who are addicted to narcotics and drugs and provide services including but not limited to group and individual counseling, vocational and educational counseling and a medical back-up service.

(b) Establish 10 group counseling groups each with a minimum of 10 persons and arrange for each group to meet weekly.

(c) Provide clients of the drop-in center with same services as stated in Section 1.1 b, c, and e.

Section 1.3 *Hot Line*.—The Contractor shall establish a 24 hour hot-line to provide but not be limited to crisis intervention and individual counseling.

The Contractor shall:

(a) Coordinate with the Los Angeles Rumor Control and Information Center. The hot line will be housed at Rumor Control and Information Center.

Section 1.4 *Out Reach*.—The Contractor shall establish a community awareness campaign to disseminate information on Bridgeback Center and to recruit clients.

The Contractor Shall:

(a) Coordinate with the Los Angeles Rumor Control and Information Center and the Council of Community Clubs for the dissemination of information.

(b) Provide for intensive recruitment of adolescents and adults who are addicted to narcotics and drugs.

Section 1.5 *Management*.—The Contractor shall perform all necessary administrative tasks necessary to control performance and costs, assure conformance to schedule and assure maximum employment of residents.

The Contractor Shall:

(a) Perform management tasks including but not limited to: Organization planning; personnel recruitment; hiring and administrative and clerical services, staff training; and overall scheduling and supervision of all project tasks.

(b) Provide coordination by project staff attendance at Model Cities Health and Law and Justice Task Force Meetings at least once per month as requested by the CDA, and attendance at other meetings of the CDA at least per quarter. Attendees shall be prepared to report progress and describe details of the project of these meetings. The Contractor shall provide for continuing coordination with



all Model Cities agencies, private service agencies, Federal agencies and Los Angeles City and County departments.

(c) Recruitment, hiring, training and promotional opportunities shall be accomplished in accordance with the Contractor's Resident Employment Plan.

(d) Prepare the financial and schedule data necessary for inclusion in reports identified in Section 2.

(e) Subcontract with an accounting firm to handle its fiscal responsibility in accordance with the contract which is incorporated herein and attached as Exhibit VI hereto.

(f) Provide individual descriptions of the functions and responsibilities of all personnel who will be performing on the Model Cities project. Individuals with similar levels of responsibility and skill requirement may be grouped in a job classification with a single description. Job classifications should include:

a. Classification Title.

b. Salary Range.

c. Major Duties—What is done, how it is done major outputs, supervisory responsibilities.

d. Requirements for position-education and experience.

If the agency has been organized exclusively to respond to the Model Cities Program or if the agency does not have a standard salary schedule for those job classifications which will be utilized on the Model Cities projects, a justification of salary determination will be provided. This justification will describe the basis for the salary determination. In all cases when a new job classification has been developed for the Model Cities project, which previously did not exist, justification will be prepared and submitted to the CDA for approval prior to the hiring of the subject personnel.

Section 1.6 *Staff Training*.—The Contractor shall conduct programs of orientation and on-the-job training for the continuous developments of staff.

The Contractor Shall:

(a) Subcontract with a consultant (s) to provide training to staff. The Contractor shall submit to the CDA the criteria used for selecting consultant and a copy of the Request for Proposal.

Section 1.7 *Citizen Participation*.—The Contractor shall provide for widespread dissemination of information on the proposed project and provide opportunities for interested residents to participate in planning and evaluation of the project itself.

The Contractor shall:

(a) Organize an Advisory Committee whose membership shall consist of:

1. At least 51% Model Neighborhood residents.

2. A member of the Los Angeles County Probation Department.

3. A member of the State of California Parole.

4. A member of the Courts.

5. A member of the Los Angeles Police Department.

6. A member of the Watts Law Office.

7. A member of the California Department of Rehabilitation.

(b) Require the Advisory Committee to establish by-laws and meet at least once per month.

(c) Require the by-laws to document the responsibilities and duties of the committee and procedures for the election of officers.

(d) Submit all plans, progress reports and evaluations to the Advisory Committee for review and comments.

(e) Actively promote increased attendance and membership of residents on the Advisory Committee.

(f) Conduct an active program to provide information on the subject to the general public as well as to students and parents through coordination with Los Angeles Rumor Control and Information Center. All releases of information to public news media shall include reference to the project funding source, "City of Los Angeles, Model Cities Program" or other suitable terminology.

(g) Present periodic reports to the Joint Council.

(h) Assign a representative to act as liaison with the Area Councils.

Section 1.8 *Facilities and Equipment*.—The Contractor shall purchase and lease equipment and facilities necessary to support operations of the aforementioned tasks and shall make facility changes or additions as required.

The Contractor Shall:

(a) Lease facilities for a half-way house and drop-in center in or near the Greater Watts Model Neighborhood. The Contractor shall get prior written ap-



proval from the Deputy Program Administrator or his designee for any facility located outside the Model Neighborhood.

(b) Limit leases and purchases to the items shown on the Contractor's Budget Justification Sheets. Deviations to the listed items must be approved in writing in advance by the Deputy Program Administrator or his designee.

Section 1.9 *Evaluation*.—The Contractor shall conduct a continuing program of evaluation of activities and shall provide monitoring data and copies of all evaluation reports to the CDA.

The Contractor Shall:

(a) Furnish project performance monitoring reports in accordance with Section 2.

(b) Prepare a project evaluation plan for submittal to the CDA evaluation unit which shall contain detailed descriptions of proposed evaluation tasks, criteria and schedules. The plan shall be submitted within 60 days of contract start date.

(c) Evaluate internal project activity including but not be limited to: Evaluation, management efficiency, counseling sessions; impact as preceived by beneficiaries, and acceptance by the community.

(d) Present evaluation status at least quarterly to the CDA.

(e) Require staff to provide information as required by the CDA to reevaluate the problems, causes objectives and strategies of the Model Cities Program and to plan alternative and continuing projects for the Second Action Year.

Section 1.10 *Supportive Services*.—The Contractor shall provide direct supportive services for those Model Cities projects that have clients addicted to drugs.

The Contractor Shall:

(a) Accept referrals from agencies that have clients addicted to drugs.

(b) Refer and follow up those clients needing legal assistance to the Greater Watts Justice Center.

(c) Participate in the Model Cities Adolescent Task Force Meetings monthly to provide coordination and planning.

(d) Use the facilities and services of the Council of Community Clubs for Community Education.

(e) Process all potential employees to the operating agency named South Central Youth Training and Employment Project for orientation and compliance verification of the Los Angeles Model Cities Resident Employment Plan.

#### PROJECT BUDGET SUMMARY

##### CITY OF LOS ANGELES, MODEL CITIES PROGRAM, BRIDGEBACK CENTER

[Estimates to be in thousands rounded to nearest hundred]

| Code and cost categories            | Estimate<br>total<br>cost | Model<br>cities<br>share | Non-Model Cities grant funds |       |       |         |
|-------------------------------------|---------------------------|--------------------------|------------------------------|-------|-------|---------|
|                                     |                           |                          | Federal                      | State | Local |         |
|                                     |                           |                          |                              |       | Cash  | In-kind |
| Activity projects:                  |                           |                          |                              |       |       |         |
| 1401 Personnel.....                 | \$172.8                   | \$172.8                  |                              |       |       |         |
| 1402 Employee benefits.....         | 17.3                      | 17.3                     |                              |       |       |         |
| 1403 Consultants and contracts..... | 113.9                     | 24.6                     |                              |       |       | \$89.3  |
| 1404 Travel.....                    | 2.8                       | 2.8                      |                              |       |       |         |
| 1405 Space.....                     | 13.8                      | 13.8                     |                              |       |       |         |
| 1406 Consumable supplies.....       | 4.1                       | 4.1                      |                              |       |       |         |
| 1407 Equipment rent/purchase.....   | 22.4                      | 22.4                     |                              |       |       |         |
| 1408 Other.....                     | 39.3                      | 39.3                     |                              |       |       |         |
| Subtotal activity projects.....     | 386.4                     | 297.1                    |                              |       |       | 89.3    |
| Capital projects:                   |                           |                          |                              |       |       |         |
| 9401 Property acquisition.....      |                           |                          |                              |       |       |         |
| 9402 Land improvements.....         |                           |                          |                              |       |       |         |
| 9403 Construction.....              |                           |                          |                              |       |       |         |
| 9404 Professional services.....     |                           |                          |                              |       |       |         |
| 9405 Carrying charges.....          |                           |                          |                              |       |       |         |
| 9406 Other.....                     |                           |                          |                              |       |       |         |
| Subtotal capital projects.....      | 0                         | 0                        |                              |       |       | 0       |
| Grand total.....                    | 386.4                     | 297.1                    |                              |       |       | 89.3    |



## BRIDGE BACK STATISTICAL SUMMARY

Number of contacts made with Center (daily basis) (from June 1, 1971 to April 25, 1972)—6,584.

These contacts include all program services, visitors, dignataries, etc.

Clients Served (from August 1, 1971 to April 25, 1972)—523.

These are people who received actual service by the hotline calls, detoxification unit, residential unit and the Development Center.

## SERVICE LOAD STATUS (CURRENT)

|                                   |     |
|-----------------------------------|-----|
| Active clients <sup>1</sup> :     |     |
| Male .....                        | 126 |
| Female .....                      | 73  |
| Total .....                       | 199 |
| Semiactive clients <sup>2</sup> : |     |
| Male .....                        | 62  |
| Female .....                      | 52  |
| Total .....                       | 114 |
| Nonactive clients <sup>3</sup> :  |     |
| Male .....                        | 98  |
| Female .....                      | 90  |
| Total .....                       | 118 |

<sup>1</sup> "Active clients" are clients who maintain weekly contact with assigned Service Worker.

<sup>2</sup> "Semiactive clients" are clients who maintain sporadic contact with Center (at least once every 2 weeks).

<sup>3</sup> "Nonactive clients" are clients who maintain sporadic contact with Center, usually in a crisis situation (frequently incarcerated).

## DETOXIFICATION ENTRIES (FROM OCTOBER 23, 1971 TO APRIL 25, 1972)

|                                                |     |
|------------------------------------------------|-----|
| Request made:                                  |     |
| Correctional supervision <sup>1</sup> .....    | 67  |
| No correctional supervision <sup>2</sup> ..... | 77  |
| Total requests made .....                      | 191 |
| Admissions:                                    |     |
| Correctional supervision .....                 | 26  |
| No correctional supervision .....              | 77  |
| Total admissions .....                         | 103 |
| Outcome:                                       |     |
| Withdrew successfully .....                    | 82  |
| Failed withdrawal .....                        | 21  |
| Total outcome .....                            | 103 |

<sup>1</sup> Correctional Supervision are those people who have requested service from the project who are on probation, parole or who are incarcerated.

<sup>2</sup> No Correctional Supervision are those people who have requested service from the project who have no degree of correctional supervision at the time of applying.

## TIME PER CLIENT IN PROGRAM (COMMENCING AUGUST 1, 1971 TO APRIL 25, 1972)

|                          |     |
|--------------------------|-----|
| No more than:            |     |
| 0 to 30 days .....       | 310 |
| 31 to 60 days .....      | 74  |
| 61 to 90 days .....      | 31  |
| 91 to 120 days .....     | 27  |
| 121 to 150 days .....    | 24  |
| 151 to 180 days .....    | 8   |
| 181 to 210 days .....    | 5   |
| 211 to 240 days .....    | 10  |
| 241 to 270 days .....    | 15  |
| Total year to date ..... | 504 |



EMPLOYMENT AND TRAINING PLACEMENTS (FROM SEPTEMBER 23, 1971  
TO APRIL 25, 1972)

|                                     |    |
|-------------------------------------|----|
| Industrial employment.....          | 18 |
| Industrial training or related..... | 1  |
| Total year to date.....             | 19 |
| Government employment.....          | 2  |
| Government training or related..... | 5  |
| Total year to date.....             | 7  |

CLIENT GROWTH GROUP INVOLVEMENT

|                                                         |     |
|---------------------------------------------------------|-----|
| Growth groups:                                          |     |
| Youth groups (drug users, ex-drug users, nonusers)..... | 105 |
| Adult groups (drug users, ex-users, nonusers).....      | 15  |
| Mixed groups (drug users, ex-drug users, nonusers)..... | 303 |
| Total year to date.....                                 | 423 |

*Intellectual seminars*—(Conducted five days per week at Center)

Approximately daily number, 24; 223.

This report does not include statistics for the months of June and July 1971 as a result of lost records during revonation of the facility.

NINETY DAY EVALUATION—BRIDGEBACK CENTER (W11-05)

I. INTRODUCTION

The purpose of the report is to evaluate the performance of Bridgeback during its first 90 days of operation. It is based on monthly and quarterly reports submitted by the operating agency on an on-site evaluation of the agency performed by a team of the City Demonstration Agency (CDA) Evaluation Section on December 16, 1971.

This report is divided into the following sections: (1) a history of the program, (2) its goals, objectives and strategies, (3) the funding of the program as stated in the Model Cities Comprehensive Demonstration Plan (CDP), (4) the agency's scope of service as defined in the contract, (5) a qualitative and quantitative impact evaluation of the program, (6) and an evaluation of the program in terms of the goals, objectives, and strategies.

II. HISTORY

At the time when Bridgeback first proposed funding from Model Cities, it was titled Operation Clean. It was a new program proposing to work in conjunction with the Black Probation Officers Association, Martin Luther King, Jr. Hospital, and the USC Mental Health Clinic.

The project had operated on a very limited basis on solicitation and contributions without formal application to an established funding entity.

III. GOAL, OBJECTIVE, AND STRATEGIES

*Goal*

To assure that model neighborhood residents receive adequate health care through better facilities, coordinated services and community oriented practitioners.

*Objective*

Reduce the rate of narcotics offenses and thus enhance the opportunities for former narcotic addicts to continue a drug-free existence.



### Strategies

**Live-In Program.**—Provide live-in services for a minimum of 12 young adults ages 18–35 for a period not to exceed 90 days: (a) establish a half-way house for a minimum of 12 residents in or near the Greater Watts Model Neighborhood; (b) provide services to include but not to be limited to individual and group counseling, detoxification and medical back-up services, vocational and educational counseling and board; (c) subcontract with a local hospital for detoxification services for a limit of five beds; (d) refer all youths ages 18–20 to the adolescent clinic for physical evaluation and treatment and refer all adults ages 21–35 to the Family Ambulatory Care Clinic for physical evaluation and treatment; (e) provide counseling services to recipient and his family to include but not to be limited to individual and group counseling, and referral to Kedren Community Mental Health Center for more intensified psychological counseling and treatment; (f) provide vocational and educational counseling to recipient and family—the Contractor shall refer residents who become job ready to job training programs and Human Resources Development; (g) provide transportation for clients needing the services.

**Drop-In Program.**—Establish a center in or near the Greater Watts Model Neighborhood: (a) provide a drop-in center for individuals between the ages of 16–35 who are addicted to narcotics and drugs and provide services including but not limited to group and individual counseling, vocational and educational counseling and a medical back-up service; (b) establish 10 group counseling groups each with a minimum of 10 persons and arrange for each group to meet weekly; (c) provide clients of the drop-out center with the same services as stated in Live-In b, c, and d.

**Hot Line.**—Establish a 24 hour hot line to provide but not be limited to crisis intervention and individual counseling; Coordinate with Rumor Control and Information Center (RC&IC)—the central number of the hot line will be housed at RC&IC.

**Out Reach.**—Establish a community awareness campaign to disseminate information on Bridgeback Center and to recruit clients: Coordinate with the Los Angeles RC&IC and the Council of Community Clubs (CCC) for the dissemination of information; provide for intensive recruitment of adolescents and adults who are addicted to narcotics and drugs.

#### IV. COMPREHENSIVE DEMONSTRATION PLAN AND AUTHORITY FOR FUNDING

This project is in addition to, and not a substitute for, local efforts.

Model Cities funds in the amount of \$338,775 will be required. Categorical funds in the amount of \$35,225 have been earmarked by the Department of Health, Education, and Welfare to cover part of the cost of the Hot Line. The local matching share totals \$89,520. During the second and third years, categorical funds will make up a larger share of the total project cost.

#### V. GRAND TOTAL (FUNDING) <sup>1</sup>

|                            |         |
|----------------------------|---------|
| Model Cities share_____    | \$297.1 |
| In-Kind _____              | 89.3    |
| Grand total (funding)_____ | 386.4   |

<sup>1</sup> Refer to W11-05 contract Exhibit II.

#### VI. SCOPE OF SERVICES

Establish services for youth and young adults using narcotics and drugs. Their services will consist of preventive and intensive post-counseling, temporary housing, 24 hour Hot Line crisis intervention, detoxification, medical back-up services, and vocational and educational counseling.



## VII. IMPACT

*Management*

Bridgeback was executed on June 1, 1971. To date, the program has suffered various delays. These delays were and are being caused by the slowness in approving funds and in the reviewing of contracts and proposals pending approval from Model Cities. Three examples of this are: (1) the losing of volunteers that Bridgeback had recruited because of continual postponements of a contract execution by Model Cities (Project Narrative—September 30, 1971); (2) the losing of the first facility chosen because of late approval from the CDA (July Report); (3) detoxification program (in hospital) non-operational to date. Contract with Bon-Air Hospital was submitted in October to the CDA and has still not been approved.

*Staffing*

Staffing has been completed with the exception of three Hot Line operators. It is noted that the Resident Employment Plan has been successfully implemented.

All the professional staff have undergone a twelve-week training program in Inglewood entitled, "Learning How to Listen as a Counseling and Therapeutic Technique."

The whole professional staff from the Director, Head Counselor, Counselors, to the Counselor's Aides are ex-drug addicts. Interviews of the staff show, without exception, great enthusiasm, understanding, and empathy with the problems to which the program addresses itself i.e., the addiction of drugs, the life patterns of drug addicts. The staff demonstrates an unselfishness of self and personal resources that is rare, their energy and optimism is demonstrated in the renovation of the facilities and the attitudes of the members undergoing treatment.

STATISTICS OF BRIDGEBACK'S STAFFING

|                                                 | Planned | Actual |
|-------------------------------------------------|---------|--------|
| Number of professional staff hired.....         | 15      | 14     |
| Number of MNR's.....                            | 15      | 12     |
| Number of paraprofessionals hired.....          | 10      | 6      |
| Number of MNR's.....                            | 10      | 6      |
| Number earning more than \$1,000 per month..... | 2       | 2      |
| Number of MNR's.....                            |         | 1      |
| Number earning less than \$1,000 per month..... | 23      | 18     |
| Number of MNR's.....                            | 16      | 16     |
| Number undergoing training.....                 | 24      | 21     |
| Number volunteers trained.....                  |         | 100    |
| Number of MNR's.....                            |         | 29     |

## VIII. FACILITIES AND EQUIPMENT

Bridgeback is located at 6723 S. Avalon Boulevard. The renovation of facilities can be said to be very successful. It is visually therapeutic and aesthetically pleasing. There is good utilization of space, and the feeling that "someone really cares" is successfully projected to the members undergoing treatments.

All the equipment that was to be purchased by the operating agency, according to their budget, has been purchased—most of which was purchased from model neighborhood based firms. Bridgeback's staff expressed deep concern over the fact that no television or record player (to be utilized by the members of Bridgeback, especially those restricted to the premises during their first 10 days in the program) was purchased because of budget limitations.

## IX. SERVICES

All phases and services of the Live-In, Drop-In, Hot Line and Out Reach Program have and are being performed. This includes individual, group, vocational, and educational counseling to both Live-Ins and Drop-Ins.

Concerning the detoxification of the Bridgeback members: in October, a contract with Bon-Air Hospital was submitted to the Greater Watts Model Neighborhood Office for review. To date, Model Cities has not approved this contract.

The Hot Line crisis intervention has been operating successfully on a 24 hour basis despite the fact that Hot Line operators have not been hired as of yet. The operation of the Hot Line is assumed by the staff and by volunteers.



## BRIDGEBACK'S STATISTICS FOR SERVICE

|                                                        | Planned | Actual |
|--------------------------------------------------------|---------|--------|
| 1. Live-in program:                                    |         |        |
| Number admitted:                                       |         |        |
| (a) Number of MNR's ages 18 to 21                      | (1)     | 1      |
| (b) Number of MNR's ages 21 to 36                      | (1)     | 14     |
| (c) Number of MNR's other ages                         | (1)     | -----  |
| Number who have undergone different phases of program: |         |        |
| (a) Number 0 to 30 days                                | 12      | 17     |
| (b) Number 31 to 60 days                               | 8       | 5      |
| (c) Number 61 to 90 days                               | 12      | 4      |
| 2. Group counseling:                                   |         |        |
| (a) In-house                                           | 24      | 17     |
| (b) Drop-in                                            | 1,950   | 1,352  |
| 3. Individual counseling:                              |         |        |
| (a) In-house                                           | 24      | 17     |
| (b) Drop-in                                            | (2)     | 17     |
| 4. Vocational counseling:                              |         |        |
| (a) In-house                                           | 24      | 17     |
| (b) Drop-in                                            | (2)     | 18     |
| 5. Educational counseling:                             |         |        |
| (a) In-housing                                         | 24      | 17     |
| (b) Drop-in                                            | -----   | -----  |
| 6. Hot line (crisis intervention):                     |         |        |
| Average number of calls per day                        | -----   | 16     |
| Average number of calls per weekends                   | -----   | 8      |
| 7. Out reach: Number recruited                         | -----   | 80     |

<sup>1</sup> Undetermined.<sup>2</sup> Unknown.

## X. EVALUATION

Bridgeback has demonstrated within its first 90 days of operation to be competent and successful in the implementation of its program. They have met their contractual obligations and have further actualized to include a youth program—classes taught to the members by the staff designed to recapture the self worth that most of the members lost through drug addiction.

By the existence of Bridgeback and the successful implementation of its services, they remain consistent with their goal which is to assure that model neighborhood residents receive adequate health care through better facilities, coordinated services, and community oriented practitioners, and they are striving daily to fulfill their objective which is to reduce the rate of narcotic offenses and thus enhance the opportunities for former narcotics addicts to continue a drug-free existence.

## XI. CONCLUSION

The success of Bridgeback cannot be witnessed by reading this report or any other written document; they only reinforce the valid service offered to the community by Bridgeback. It is by visiting Bridgeback, talking to its Director, Head Counselor, Counselors, Aides and the actual members of the program that one can appreciate or understand what it means to extend oneself and care.

## BRIDGEBACK CENTER, PARTICIPANT BENEFICIARIES COST-OUT PER LINE ITEM

[Estimates in thousands rounded to nearest hundreds]

| Cost categories             | Estimated total cost | Model-Cities share | Participant beneficiary | Model Cities share (Not rounded) | Participant beneficiaries, percent of total Model Cities share |
|-----------------------------|----------------------|--------------------|-------------------------|----------------------------------|----------------------------------------------------------------|
| Activity project:           |                      |                    |                         |                                  |                                                                |
| Personnel                   | \$172.8              | \$172.8            | 4,686                   | \$36.87                          | 58.04                                                          |
| Employee benefits           | 17.3                 | 17.3               | 4,686                   | 3.69                             | 5.81                                                           |
| Consultants and contractors | 113.9                | 24.6               | 4,686                   | 5.24                             | 8.26                                                           |
| Travel                      | 2.8                  | 2.8                | 4,686                   | .59                              | .94                                                            |
| Space                       | 13.8                 | 13.8               | 4,686                   | 2.94                             | 4.63                                                           |
| Consumable supplies         | 4.1                  | 4.1                | 4,686                   | .87                              | 1.37                                                           |
| Equipment                   | 22.4                 | 22.4               | 4,686                   | 4.78                             | 7.52                                                           |
| Other                       | 39.3                 | 39.3               | 4,686                   | 8.38                             | 13.20                                                          |
| Total                       | 386.4                | 297.7              | 4,686                   | \$63.52                          | 99.77                                                          |







