

DEA Congressional Testimony
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Statement of
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Congressman Hutchinson, Members of the Subcommittee: I am pleased to have the opportunity to appear before you today to discuss the growing dangers that methamphetamine trafficking, use and abuse, and the spread of clandestine drug laboratories, pose to the citizens of our country. It is fair to say that methamphetamine is one of the most significant law enforcement and social issues facing our nation today, and it has affected specific regions of the country in a dramatic fashion.

Methamphetamine trafficking and use have increased exponentially over the past six years, and my testimony today will provide the subcommittee with information on how, where and why this has occurred, and how federal law enforcement is working with state and local partners across the nation to address the methamphetamine problem.

While methamphetamine is not an entirely new problem in the United States, about six years ago an upsurge in methamphetamine trafficking and abuse began taking hold in many regions of the nation, starting on the West Coast, and rapidly expanding into the Midwest and, to a lesser extent, the Southeastern United States. DEA statistics indicate that in 1993, DEA seized a total of 218 methamphetamine labs. Current DEA statistics indicate that in 1999, DEA alone seized 1,948 clandestine laboratories and that the total number of laboratories seized by Federal, state and local law enforcement officers nationwide was over 6,400.

Since 1994, the Midwestern United States has experienced a significant increase in the use and availability of methamphetamine. DEA New Orleans continues to confront a dual methamphetamine problem: not only is methamphetamine transported into the New Orleans Division by organized criminal drug trafficking groups operating from California and the Southwest border, but methamphetamine is produced in hundreds of local clandestine laboratories by loose-knit networks of individuals. These clandestine laboratories represent a substantial health and safety threat to communities. The toxic, and often highly flammable, chemicals used in the manufacturing process pose a threat to law enforcement and emergency response personnel, as well as the general public. Fires and explosions are a constant threat in this type of environment. Traffickers often dispose of chemicals improperly, creating environmental problems that require expensive clean up.

DEA nationwide methamphetamine arrests in 1999 totaled 8,783. Of those, 327 methamphetamine arrests were made in Arkansas. Nationwide methamphetamine seizures have increased significantly since 1995, according to information from DEA's database. In Arkansas, methamphetamine seizures increased six-fold from 1995 through 1997. After a slight decline in 1998, preliminary data from 1999 indicates that methamphetamine seizures have surpassed prior levels. DEA reports of methamphetamine seizures indicate a 37 percent increase for Calendar Year 1999, which is considerably higher than the nationwide increase of 11.6 percent.

More than 99% of the 6,400 clandestine laboratories seized nationwide in 1999 were producing methamphetamine. The National Clandestine Laboratory Database, which became operational in January 1999, serves as a clearinghouse for all federal, state, and local clandestine laboratory seizures. The El Paso Intelligence Center (EPIC) reports that a total of 284 clandestine laboratories were seized in Arkansas during Calendar Year 1999. It is important to note, however, that according to the Arkansas State Crime Lab, more than 540 methamphetamine labs were seized in Arkansas during calendar year 1999. This figure is up from their report of

428 seized during the previous year. Reporting discrepancies between the Arkansas State Crime Lab and EPIC will most likely decrease as the national reporting system develops fully.

The production capability of most of the local clandestine labs is usually in the range of two to four ounces per process. DEA Little Rock has initiated several investigations regarding the sale and distribution of bulk quantities of pseudoephedrine tablets by local businesses to lab operators for the production of methamphetamine. Pseudoephedrine is an essential precursor chemical for the production of methamphetamine.

Most of the small clandestine laboratories manufacture methamphetamine using the sodium ammonia or "Nazi" method. The "Nazi" formula of methamphetamine production utilizes ephedrine /pseudoephedrine reduction, as well as sodium or lithium metal, and other dangerous chemicals such as anhydrous ammonia in the process. Sodium metal is an extreme fire hazard, and will ignite upon contact with water. This production technique has spread throughout the Midwest and accounts for 20% of the total methamphetamine labs seized by DEA.

While methamphetamine seizures in Arkansas increased significantly since 1995, DEA New Orleans reports that the availability of methamphetamine in the state has remained relatively constant over the past two years. Methamphetamine sells for \$1,200 per ounce and \$18,000 per kilogram.

Historically, the suppliers of methamphetamine throughout the United States have been outlaw motorcycle gangs and numerous other independent trafficking groups. Although these groups continue to produce and distribute methamphetamine, organized crime polydrug trafficking groups operating from Mexico and California dominate wholesale methamphetamine trafficking in the United States. Over the past few years, these groups have revolutionized the production of this drug by operating large-scale laboratories in Mexico and the United States that are capable of producing unprecedented quantities of methamphetamine. The groups have saturated the western U.S. market with this product, increasingly moving the product to markets in the eastern United States.

Recent information suggests that Outlaw Motorcycle Gangs, most notably the Hells Angels and the Bandidos, are producing their own methamphetamine rather than relying upon California- and Mexico-based organizations. This is primarily due to the decreased purity of the methamphetamine supplied by the California- and Mexico-based organizations.

The violence associated with methamphetamine trafficking and use has also produced a collateral impact on the crime statistics of communities across the U.S. Methamphetamine-related violence usually results from the user under the influence of the drug; users who committed violent acts to obtain money or more of the drug; and distributors who used violence in the course of conducting their illicit business. Television viewers nationwide recall watching live footage of a paranoid methamphetamine addict who stole a tank from a National Guard armory and went on a car crushing rampage in the San Diego area. Another methamphetamine addict in New Mexico beheaded his son after experiencing hallucinations in which he believed his son was Satan. Every community with a methamphetamine abuse problem has experienced violence in some form or another. However, most commonly, this violence routinely presents itself in the form of domestic violence.

International Organized Crime Groups Based in Mexico

Today, there are two major forces fueling the methamphetamine trade within the United States: first, the well-organized methamphetamine manufacturing and trafficking groups based in Mexico; and second, a widely scattered series of local methamphetamine producers, predominantly based in rural areas around the country.

Traffickers based in Mexico have had a long history of involvement in poly-drug production and smuggling. For years, these powerful and violent groups produced and smuggled marijuana and heroin into the United States, dominating the heroin trade in the Southwest and Midwest regions

of the nation. During the early 1990's, the Cali drug mafia reached an accommodation with trafficking groups based in Mexico who agreed to transport multi-ton quantities of cocaine into the United States. At first, transporters from Mexico were paid in cash, but eventually they negotiated to be paid in cocaine, which they distributed themselves within the United States. This series of changes in the cocaine trade, along with the arrest of the powerful Cali leaders in 1995 and 1996, greatly strengthened the organizations from Mexico.

The increased power and sophistication of the Mexican traffickers led them to seek to successfully dominate all phases of the methamphetamine trade, from beginning to end. Because methamphetamine is a synthetic drug created from a mixture of chemicals, traffickers based in Mexico did not have to rely on traffickers in other nations to provide coca or finished cocaine for distribution. These groups initially had ready access to precursor chemicals on the international market. These chemicals have fewer controls in Mexico and overseas than in the United States, a fact which allowed the organizations to produce large quantities of high purity methamphetamine in clandestine laboratories, both in Mexico and southern California. Methamphetamine organizations based in Mexico have developed international connections with chemical suppliers in Europe, Asia, and the Far East, and with these connections, they have been able to obtain ton quantities of the necessary precursor chemicals (ephedrine and pseudo-ephedrine) to manufacture methamphetamine and amphetamine. In recent years, with the growth of DEA led international efforts to control the flow of bulk ephedrine and pseudo-ephedrine, Mexican traffickers have also turned to tableted forms of these precursors to manufacture their product and now frequently buy their products from rogue chemical suppliers in the United States.

In addition, readily available precursor chemicals allow trafficking groups from Mexico to produce thousands of pounds of methamphetamine in laboratories in Mexico and California. These methamphetamine organizations based in Mexico also have well-established, polydrug distribution networks in place throughout our country. This snapshot of methamphetamine use is a graphic illustration of the kind of devastation international cartels can bring to American communities-even the smallest ones. The Mexican traffickers have single-handedly created a new and booming demand for methamphetamine, moving it in mass quantities eastward across the country-far beyond the traditional West and Southwest markets. They are responsible for about 80 percent of the meth available in this country, and the super-labs they operate produce between 10 to 100 pounds of meth a day.

Domestically Produced Methamphetamine

While the vast majority of methamphetamine available in the United States is produced and trafficked by the well-organized groups from Mexico, domestic production of methamphetamine by United States citizens is also a significant problem. The production level of these laboratories, often makeshift and described as mom and pop labs, is relatively low; however, the large number of these labs and the environmental and law enforcement concerns associated with their operation, poses major problems to state and local law enforcement agencies, as well as to DEA.

Methamphetamine is, in fact, a very simple drug to produce. A user can go to retail stores and easily purchase the vast majority of the ingredients necessary to manufacture the drug. Items such as rock salt, battery acid, red phosphorous road flares, pool acid, and iodine crystals can be utilized to substitute for some of the necessary chemicals. Precursor chemicals such as pseudoephedrine can be extracted from common, over-the-counter cold medications. A clandestine lab operator can utilize relatively common items such as mason jars, coffee filters, hot plates, pressure cookers, pillowcases, plastic tubing, gas cans, etc., to substitute for sophisticated laboratory equipment. Unlike Fentanyl, LSD, or other types of dangerous drugs, it does not take a college-educated chemist to produce methamphetamine. In fact, less than 10 percent of those suspects arrested for the manufacture of methamphetamine are trained chemists, which may be one reason we see so many fires, explosions, and injuries in clandestine lab incidents.

Despite the fact that the majority of these laboratories produce relatively small amounts of

methamphetamine, the proliferation of this type of laboratory has imposed terrible burdens on law enforcement agencies and departments.

In some respects, the methamphetamine problem is synonymous with the clandestine laboratory problem and this issue has been the focus of much media attention in recent months. Although the methamphetamine problem and the clandestine lab problem are both part of the same drug abuse mosaic, in reality, they are somewhat different issues, which may require a different law enforcement response in order to successfully combat the spiraling increases in both arenas.

The threats posed by clandestine labs are not limited to fire, explosion, poison gas, drug abuse, and booby traps; the chemical contamination of the hazardous waste contained in these labs also poses a serious danger to our nation's environment. Each pound of methamphetamine generated in a clandestine lab can result in as much as five pounds of toxic waste, which clandestine lab operators routinely dump into our nation's streams, rivers, and sewage systems to cover up the evidence of their illegal operations. Because of the possibility of explosions and direct contact with toxic fumes and hazardous chemicals, law enforcement officers who raid clandestine drug labs are now required to take special hazardous materials (HAZMAT) handling training.

The highly toxic and flammable chemicals involved make these rudimentary laboratories ticking timebombs that require specialized training to dismantle and clean up. DEA is pleased to have certified thousands of state and local law enforcement officers in raiding and dismantling them and provide funds for cleaning them up. In Arkansas alone, DEA has trained and certified over 177 law enforcement officers.

The size of lab does not matter when it comes to the danger level involved in a clandestine laboratory raid. The smaller labs are usually more dangerous than the larger operations because the cooks are generally less experienced chemists who often have little regard for the safety issues that arise when dealing with explosive and poisonous chemicals. However, the size of a clandestine laboratory can be a significant factor in the costs associated with the hazardous waste cleanup. Larger production laboratories usually have larger quantities of toxic chemicals, and therefore, more significant hazardous waste disposal charges. DEA records indicate that the average costs of cleanup for clandestine labs seized throughout Arkansas have ranged from \$3,000.00 - \$9,000.00 depending on the size of the lab.

DEA's Strategy to Fight Methamphetamine

DEA's methamphetamine strategy encompasses several elements, including targeting and building cases against the major methamphetamine traffickers based in Mexico, and against their surrogates operating in the United States today; assisting state and local law enforcement agencies in making cases against methamphetamine manufacturers and traffickers working in the United States; partnering with state and local law enforcement to assist with training and laboratory clean-up; and controlling the precursor chemicals necessary for methamphetamine production in Mexico and the United States.

DEA Clandestine Laboratory Safety/Certification Training

In 1987, DEA created a special training unit for clandestine laboratory safety/certification training which is located at the U.S. Marine Corp Base at Camp Upshur, Quantico, Virginia. This unit originated in response to concerns from DEA management that the agency's Special Agents and task force officers were being exposed to hazardous, toxic, and carcinogenic chemicals while executing raids on clandestine drug laboratories. Some DEA field offices, primarily in the state of California, were reporting that Special Agents and officers appeared to be suffering serious health problems as a result of both short and long-term exposure to the chemical and toxic fumes encountered when processing these drug laboratories. The U.S. Code of Federal Regulations, 29 C.F.R. 1910.12, now mandates that all federal, state, and local law enforcement officers must receive at least 24 hours of hazardous chemical handling training (specific Occupational Safety, Health and Administration (OSHA) standards for courses and equipment), prior to entering a clandestine drug laboratory.

The dangers associated with the clandestine manufacture of methamphetamine are clear. Reports from DEA and state police records indicate that at least five or six meth producers are now being killed every year from explosions and/or fires in clandestine labs. Many more receive serious burns or develop serious health problems from clandestine laboratory explosions and fires. There have been reports of apartment complexes and a \$3,500,000 hotel, which burned down as the result of drug lab "cooks" that turned into chemical time bombs. Recent years have seen an increase in the number of injuries to untrained police officers that investigate and/or dismantle clandestine laboratories without utilizing the proper safety equipment.

Reports of property damage and injuries to children from drug lab disasters have also increased throughout the nation. According to our Little Rock Resident Office, approximately 90% of the clan labs located in private residences had children either on site or present at the time of the seizure.

In response to this serious problem and to satisfy the training requirement established by OSHA, DEA has initiated an aggressive training schedule to increase the number of clandestine laboratory safety schools provided to state and local police throughout the nation. The DEA Clandestine Laboratory Safety Program conducts its safety/certification schools at the DEA Clandestine Laboratory Training Facility in Quantico Virginia. An auxiliary regional training facility has also been established for the Midwest U.S., near Kansas City. This specialized unit frequently conducts in-service training and seminars for law enforcement groups such as the Clandestine Laboratory Investigators Association (CLIA) and the International Association of Chiefs of Police (IACP). In addition, the DEA Clandestine Laboratory Training Unit provides police awareness training seminars to law enforcement organizations across the U.S., as well as the annual re-certification training which is mandated by OSHA regulations.

Students who graduate from the DEA Clandestine Lab School in Quantico, Virginia, are issued over \$2,000 in specialized clandestine lab safety gear. Some of the items issued include: Level III nomex fire-resistant ballistic vests; nomex fire-resistant jackets, pants, and gloves; chemical resistant boots; air purified respirators; combat retention holsters; special flashlights; chemical resistant clothing for conducting hazard assessments and processing drug labs; and goggles to prevent eye injuries in the event a suspect throws acid or other dangerous chemicals at law enforcement personnel. Since 1997, DEA has conducted a total of 103 clandestine laboratory certification schools for 3,803 Special Agents and state and local law enforcement personnel across the country.

In Fiscal Year 1999, DEA received a total of \$11.0 million through the Community Oriented Police Services (COPS) program for state and local methamphetamine related training and hazardous waste cleanup services. This total included \$6.0 million to provide for clandestine laboratory certification training and \$5.0 million for contracted hazardous waste disposal services for state and local law enforcement personnel and organizations across the United States.

Unlike in past years, funding provided by the Congress through the COPS methamphetamine program in FY 2000 will be distributed directly to select state and local law enforcement organizations throughout the country instead of to DEA for necessary training and cleanup services. Through the use of residual COPS carryover funding from 1998 and 1999, as well as some direct resources, DEA will continue to provide training and cleanup services for those remaining state and local law enforcement organizations (including Arkansas law enforcement offices and personnel) which were not covered in the FY 2000 appropriation language. However, due to the lack of additional COPS funding being directed to DEA in FY 2000, our resources, particularly in the area of clandestine laboratory cleanup, are extremely limited and will be provided to state and local law enforcement organizations on a first come, first serve basis. DEA is currently working with the Department of Justice and the U.S. Congress to secure additional FY 2000 resources for the agency's state and local clandestine laboratory training and cleanup programs.

ACCOMPLISHMENTS

Today, we are optimistic that our chemical control efforts, combined with aggressive anti-methamphetamine law enforcement efforts in the local police arena, have been the catalyst for the decrease in methamphetamine purity. However, success in combating the smaller lab-based methamphetamine problem may be much more difficult to achieve. In recent months, several DEA offices in the Midwest and California have reported that the purity of Mexican methamphetamine has significantly dropped in the majority of controlled purchases and seizures. Many law enforcement agencies in the Midwest and California are now reporting that the previous high purity (80%+ range) of Mexican methamphetamine has now dropped to less than 30%. Information provided by DEA reporting systems shows that nationally, the average purity for methamphetamine has dropped from 60.5 percent in 1995 to 27.2 percent in 1999.

Conclusion

Methamphetamine, and other controlled substances, which are produced in clandestine laboratories, provides an increasing threat to drug law enforcement personnel as well as the citizens of our nation. The vast power and influence of international drug trafficking syndicates, particularly those based in Mexico, continues to grow. Their impact on communities around our nation is devastating.

Domestically based drug traffickers who engage in methamphetamine production and trafficking are also a major threat to our nation's stability. Since methamphetamine is relatively easy to produce, and with the proliferation of information on methamphetamine production available on the Internet, unscrupulous individuals will continue to take part in this illegal and dangerous enterprise. Traffickers only need \$1,000 worth of chemicals to make \$10,000 in methamphetamine in a trailer, a hotel room or house in any location within the United States.

Reports of property damage and injuries to children from drug lab disasters have also increased throughout the nation. According to our Little Rock Resident Office, approximately 90% of the clan labs located in private residences had children either on site or present at the time of the seizure.

As the number of clandestine labs operated by both internationally-based criminal organizations and mom and pop, small, independent groups continues to escalate, the chances of narcotics officers, or other uniformed personnel, inadvertently encountering clandestine labs will become more and more prevalent. In the years to come, DEA will continue to work to improve its efforts in the methamphetamine arena to ensure a safe future for both our law enforcement personnel dedicated to addressing this dangerous problem as well as our citizens. I thank you for providing me with this opportunity to address the Subcommittee and I look forward to taking any questions you may have on this important issue.