

Statement of R. Gil Kerlikowske
Director, Office of National Drug Control Policy
National Methamphetamine and Pharmaceuticals Initiative
Nashville, Tennessee
May 20, 2009

Thank you Joe for that introduction – and thank you also for all that DEA does around the country, internationally, and even in Washington, to help us grapple with the important challenges posed by methamphetamine, precursors, and diverted pharmaceuticals. I'd like to begin by acknowledging some of the many law enforcement leaders from around the country we have here with us today.

I am very pleased to that five HIDTA Directors are here and would like to recognize Ernesto Ortiz from the SWB HIDTA, New Mexico Region; Tom Gorman, Rocky Mountain HIDTA; Frank Rapier, Appalachia HIDTA; Larry Burnett, Hawaii HIDTA; and Dave Rodriguez, Northwest HIDTA. I would also like to recognize Police Chiefs Mark Muir from Mussoula, Montana; and Richard Varner from Washoe Tribal Police Department in Nevada; Marshall Fisher, Director, Mississippi Bureau of Narcotics; Mark Gwyn, Director, Tennessee Bureau of Investigation; Van Ingram, Gary Kendall, and Fran Flener, fellow Drug Czars at the state level from Kentucky, Iowa and Arkansas, respectively. From Federal Government we have ICE Special Agents in Charge John Farrell, from the Newark Office, and Mike Unzueta, from the San Diego Office; DEA SAIC Robert Corso, from the Detroit Office; and DEA's Chief Counsel, Wendy Goggin. Most importantly, I am pleased to welcome the 300-plus state, local and Federal officers from the field. That's what this conference is all about, and I am truly heartened by this great turnout.

I know from my own experience as Police Chief in Seattle that synthetic drugs continues to be a major international problem. Thus I am very pleased to also welcome representatives from Canada, Mexico, China, and New Zealand. We thank you for traveling to the United States to exchange information with us, and we look forward to partnering with you.

Finally, let me express my thanks to Tony Loya both for his work year-round running NMPI, and for his tireless efforts to put this incredible conference together.

Last week during Police Week, I was honored to attend DEA's Memorial Ceremony to pay tribute to those who made the ultimate sacrifice in the line of duty. It is an impressive ceremony and serves as a reminder of the risk each of you accept as part of your daily service to the Nation – thank you.

It is a great pleasure for me to be here with you today, among my friends and colleagues in law enforcement. The work of this conference is not new to me. In fact, NMPI – and its predecessor – NMCI - has long been known as a center of excellence. You will find in me a strong supporter of the goals of this conference. I am eager to hear from you, so I

hope you will be willing to engage in some discussion and questions after my remarks.

Let me state at the start that the President and Vice President and all of us who work for them are firmly committed to providing strong Federal support for state and local law enforcement. President Obama, during the Top Cops ceremony at the White House Rose Garden on May 12, stated to a gathering of police officers:

“...at this moment of economic challenge, one of the greatest concerns is that we'll see state and local governments forced to lay off police officers -- even though we know that crime has a tendency to go up when the economy is in dire straits. ...So we can't back down, because the job of every American depends on the job you do -- and the resources that enable you to do that job well... And that's why the American Recovery and Reinvestment Act includes \$1 billion to save or create about 5,500 jobs through the COPS Program. And there's another \$2 billion in grants which will help keep police officers on the beat and in the job.”

This strong commitment by the Obama Administration includes supporting the important work of NMPI. As you can imagine, synthetic drugs and the illicit use and diversion of prescription drugs are challenges we faced in Seattle, so I am very familiar with the dangers they pose. Methamphetamine is a devastating drug that destroys too many lives. I am concerned about what I have read about the increase in pseudoephedrine smurfing, the recent trends in state and local clandestine laboratories and dump sites, and the continued signs of the impact of methamphetamine abuse within our communities. I will return to the subject of methamphetamine in a moment, but let me focus for a few minutes on the constantly evolving challenge of pharmaceuticals.

It is essential that NMPI continues to deal head-on with pharmaceutical crimes. This is a very difficult challenge because all of us want to protect our citizens, especially youth, from what are extremely dangerous and addictive drugs, while not standing in the way of legitimate access. In fact, it is very much the “legitimacy” of these pharmaceuticals that is lowering barriers to first use for our young people. According to the 2008 National Survey on Drug Use and Health, more than 2,000 young people per day start on the path of substance abuse by abusing prescription drugs.

Because of the difficulty of this threat, I am particularly pleased to announce today the release of the new “National Prescription Drug Threat Assessment” prepared by the National Drug Intelligence Center and the DEA. The Assessment highlights some disturbing trends which require our urgent attention. It is particularly troubling to read that it is now common for abusers of prescription pain killers to transition to use of street heroin. This trend threatens to undermine some long-term headway we had been making to reduce IV drug use.

The Assessment makes clear the need for law enforcement to forge new partnerships in addressing this problem - and I know to some extent this is already happening through prescription drug task forces. But all of us have to do much more to make sure enforcement agencies working pill cases are talking to hospital staff, doctors,

pharmacists, school nurses, and others in the health community. We need to learn from each other – this is too big a problem to be addressed in silos. Just as law enforcement needs to learn from health professionals about addiction and abuse to help us do our jobs, so too must the health community learn from law enforcement about the public safety consequences of excessive prescriptions and the reality of doctor shopping. We must improve communication between law enforcement and the health and medical community – we are all in this together with the common goal of keeping folks safe from this new and deeply troubling threat.

There are some areas of the country, as the Threat Assessment highlights, which face an extremely acute problem and which have become regional sources for diverted pharmaceuticals. Florida, the state where I spent most of my career, reports that the increase in pain clinics in places like Broward County – 89 such clinics in a single county – poses some serious challenges. In South Florida, just 45 doctors prescribed 9 million doses of oxycodone in the second half of 2008. This type of irresponsible behavior has had tragic consequences. The Florida Office of Drug Control reports that the rate of deaths caused by **prescription drugs** is over three times as high as the rate of deaths caused by all illicit drugs combined. Their medical examiners tell us that about nine Floridians die each day due to prescription drug overdoses. These are more American deaths in a single day – from a single state – than have died during the entire H1N1 outbreak which has so gripped this Nation and dominated the headlines. Recently passed, and hopefully soon to be enacted, PDMP legislation by the Florida legislature is a positive step in the right direction, but clearly, the diversion of prescription drugs remains one of the greatest challenges we face nationwide going forward.

As the Threat Assessment highlights, despite an increase in the number of states with active prescription drug monitoring programs, traditional diversion methods – primarily doctor-shopping, theft, forged prescriptions, and unscrupulous physicians and pharmacists working alone or in association – remain the most common means by which individuals illegally acquire these prescription drugs. It is essential, therefore, that public health-based systems designed to monitor controlled substance prescriptions continue to expand at the state and regional level, until they ensure full national coverage.

I encourage all of you to take back to your departments and agencies the Threat Assessment and to share it with your colleagues. What the document makes clear is that pharmaceuticals, like other major drugs of abuse, now must become a permanent part of our responsibility in addressing the public health and safety threats of substance abuse.

Although I am pleased NMPI is taking on challenges posed by pharmaceutical drugs, our efforts against methamphetamine must continue. Just last week I was informed of an investigation conducted by the Atlanta HIDTA Task Force which resulted in the seizure of 351 pounds of methamphetamine and one pound of cocaine. The Atlanta HIDTA and Gwinnett County District Attorney's Office targeted a Mexican drug trafficking organization based in Gwinnett County which utilized several stash houses to store meth. In addition to the methamphetamine, volatile chemicals were located in one residence, and were used to convert the powdered methamphetamine to crystallized

methamphetamine, commonly referred to as ice. Members of the Atlanta Field Division DEA Clandestine Laboratory Team, under the supervision of DEA SAC Rod Benson, responded to the scene to supervise the removal of these chemicals. The investigation is ongoing. It's no surprise Rod and his team is providing outstanding support to the mission - I observed first-hand Rod's professionalism and dedication to producing results when he served as DEA SAC in Seattle. This case is another great example of interagency cooperation and illustrates that methamphetamine production is a major problem throughout much of the country. We can't let our guard down against meth – we know the price to be paid by not marshaling all of our energies against this dangerous substance.

I would like to take this opportunity to share with you some broader thoughts about where ONDCP is headed in the years to come. I have only been on the job for about 10 days, but I spent 36 years in law enforcement and I have a long association with ONDCP and the men and women who work there, so I want to tell you where we are headed.

When I first considered the President's request to serve as Director of National Drug Control Policy, there were several priorities which immediately came to mind regarding what I needed to accomplish as our Nation's "Drug Czar." One was leading a re- invigoration of our prevention and treatment policies at home. Law enforcement can and should play a far greater role in this area. The strengthening of our treatment efforts, to include increased collaboration between the criminal justice and drug treatment systems through drug courts, smart community policing, and using the authorities inherent in our probation and parole practices, will be an important element of our prevention and treatment policies. Likewise, an increased focus on identifying, at the initial point of law enforcement intervention, drug endangered children and providing them the services they require is another example of how law enforcement, as the usual "first responder" to drug problems, can play a critical role in breaking the cycle of addiction from one generation to the next.

Words matter, particularly to the people we serve, to elected officials and others, and I believe the "War on Drugs" metaphor doesn't fit. The term "War" limits our tools to deal with the complex problem of the disease of addiction. Someone once told me that when the only tool in the tool box is a hammer, every problem looks like a nail. I know a good deal about what law enforcement agencies do throughout our country. An investigator working a complex drug case, a street officer attempting to shut down a violent open air drug market, or a trooper stopping a shipment of weapons en route to Mexico is a crucial tool, but is just one tool. Often it is law enforcement officers who get drug abusers into treatment when they hit bottom, who volunteer to go into our elementary schools to help with anti-drug education, and who work overtime to help children, who, through no fault of their own, are left to fend for themselves because their parents have been drawn into a tragic life of drug abuse. We must increase our efforts to help our communities address this problem. We have too much at stake and too much to accomplish to let the wrong words lead us astray.

You will be hearing much more from ONDCP in the weeks and months to come on new drug prevention and treatment initiatives and how we can best utilize the criminal justice system to support the treatment and recovery of drug abusers. There was another subject that came to mind immediately when I was thinking about taking the job as Drug Czar - in addition to reinvigorating drug prevention and treatment. I thought I could make a unique contribution, as someone who has been on the local side of law enforcement most of his career, to increasing the cooperation between state and local law enforcement and Federal agencies.

My experience in St. Petersburg, Buffalo, and Seattle has taught me that there is untapped knowledge resident in state and local law enforcement from which Federal law enforcement agencies can benefit. This is not to say that relationships between Federal, state and local agencies are poor. In fact, great progress has been made. Task forces, such as those supported by the HIDTA and Organized Crime Drug Enforcement Task Force programs, have built strong local partnerships. The Byrne-Justice Assistance Grants and the Community Oriented Policing Services initiatives have empowered state and local agencies to enhance the safety and security of their localities. However, there is much more that can be accomplished in stitching together all of our law enforcement capability into a comprehensive national effort against drug traffickers.

There has been a lot of discussion, as there should be, about the drug and violence-related challenges faced by the Government of Mexico and the steps they need to take to defeat the drug cartels. I have nothing but the greatest respect for the courageous efforts made by President Calderon in taking on the cartels. He and his Administration deserve our sustained support.

In my first few days in office, I have heard from many of my former colleagues in state and local law enforcement. We talked about the importance of working together as one U.S. team to stop the flow of drugs into our country and the southbound flow of bulk currency and weapons. This is a large, complex, and important undertaking. I applaud DHS Secretary Napolitano for her strong emphasis on working to stop the flow of money and guns that fuel Mexican drug cartel violence. Clearly the money and weapons are just as important to the cartels, if not more important, than the drugs. Of course, the purpose of the whole enterprise for the cartels is to garner profits and power; drugs are just a means to those ends.

The border problem does not stop in Texas, Arizona, New Mexico, or California. The tentacles of the drug cartels are in many of our communities. They operate in our cities, suburbs, rural areas, in our national parks and our public lands, and even in our prisons. Without the help of state and local law enforcement, Federal authorities will never have the detailed knowledge of how local drug cartel cells and their drug, money, and weapons distribution networks operate.

Those thousands of packages of bulk currency and shipments of weapons that slip across our border with Mexico every year don't appear out of thin air. Illegal organizations, operating throughout the continental United States, collect and move their contraband

through our local communities. They have built a national network of stash houses, organizational cells specialized in drugs, guns, and money, and a virtual army of couriers with vehicles and advanced communications and logistics. There is no way that a small number of Federal agents, even with all of their inherent talent, technology, and resources, can know what state and local police agencies know about organizations which operate every day within their jurisdictions.

I know the Federal Government can do a better job. Federal agencies have a responsibility to foster an improved, faster exchange of information with state and locals – this means a *two-way exchange*. Local officials have a right and good reason to know what happens to investigatory leads they provide to Federal partners, as well as a need to see near real-time relevant reporting from national authorities who impact the safety and security of their jurisdictions. Agencies headquartered in Washington must participate fully in fusion centers, and ensure that vital criminal databases include all relevant information, are up-to-date, and are easily accessible by appropriate local authorities. In my 10 days on the job, through conversations with my counterparts, I know they are determined to do this.

The violent Mexican cartels are criminals, but they collectively pose a grave threat to our Nation and information about every part of their operations must be made available to our state and local law enforcement officers. It simply short-sighted and dangerous in this day and age for a local police officer, who may have pulled a suspect over in the middle of the night somewhere, not to have rapid access to comprehensive and up-to-date criminal and national security databases. That officer may be making a critical decision in trying to decide whether to bring an individual in for questioning or to send them on their way. We must give our state and local police the information they urgently need to make the right call.

However, Federal authorities are not the only ones with the obligation to do better. I know this is already happening, but let me reiterate that state and local law enforcement has to put the vast array of data picked up in daily police work to full use in this national effort against the drug cartels. We won't beat back this tough challenge through border interdiction alone. Sure, more interdiction infrastructure targeting southbound flow will increase our money and weapons seizures. That's a good thing. But the best way to partner with President Calderon and the Mexican authorities is to gain a deep understanding of the traffickers' operations. That means we have to collect, analyze, and disseminate vast quantities of information, invest the time in complex investigations, use all of the legal investigatory tools available to us, and conduct operations such as controlled deliveries of drugs, money, and weapons which enable us to see deeply into drug trafficking organizations.

It's okay to talk about how every local law enforcement officer must be utilizing an intelligence gathering mindset in addition to a focus on seizures of drugs and money and arresting those responsible. Helping move our entire drug enforcement community more quickly to this multi-faceted way of policing will be a major theme of my tenure. Law enforcement agencies around the Nation are already well down this road. All I can tell

you is that they now have a Drug Czar in Washington who will be pushing hard to ensure the Federal Government does its part in providing the tools, training, technology, and data that can help.

This is an exciting time. We have strong support in the White House for law enforcement. You will find in me a partner willing to listen and learn from you. As you can imagine, I will be traveling around the country a good deal over the next several months, so I hope I will have an opportunity to hear more about the specific challenges you face within your communities.

Thank you for all you do in service to our Nation, and thank you for participating in this important conference. NMPI is a uniquely valuable national institution; one which ONDCP will continue to strongly support. With that, I am happy to take questions, suggestions, or comments from you.

Background for Director's NMPI Conference Opening Remarks

PDMP Legislation for Florida:

Governor Crist has not yet received the PDMP bill from the legislature. Since the legislature has to get it to him for consideration no later than 2 weeks before the effective date, the legislature may not have to send it to him until around June 15. There's nothing particular about the delay. The understanding is that the legislature is going through the normal process of preparing bills to be sent to the Governor.

National PDMP Coverage:

There are still 38 states that have PDMP legislation at this point. 33 states are operational, meaning that they collect data and allow authorized users access to the data. IA and VT became operational by April 1; however, Washington State temporarily suspended its PDMP operations due to fiscal concerns. Many programs in Washington were temporarily suspended so there was nothing in particular about the PDMP system which caused the suspension.